

Also, petition of Lodge No. 42, International Association of Machinists, Williston, N. Dak., protesting against the return of the railroads to private operation, and protesting against the labor organizations liability clause in the Esch bill; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Petition of North Dakota Educational Institution, adopted at Minot, N. Dak., indorsing the Smith-Towner bill; to the Committee on Education.

SENATE.

WEDNESDAY, November 19, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee as we face the tremendous responsibilities of this hour. The welfare of millions is dependent upon the action of the Senate. We would seek the guidance of the God of our fathers in the performance of our duty. We pray for Thy spirit, the spirit of wisdom and counsel, the spirit of a sound mind, that we may do our duty as in God's sight, and so well perform it as that it may have Thy approval. We ask for Jesus' sake. Amen.

TREATY OF PEACE WITH GERMANY.

The VICE PRESIDENT. The Chair lays before the Senate the treaty of peace with Germany.

The Senate, in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smith, Ariz.
Ball	Harding	Moses	Smith, Ga.
Bankhead	Harris	Myers	Smith, Md.
Beckham	Harrison	Nelson	Smith, S. C.
Borah	Henderson	New	Smoot
Brandegee	Hitchcock	Newberry	Spencer
Calder	Johnson, Calif.	Norris	Stanley
Capper	Johnson, S. Dak.	Nugent	Sterling
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Colt	Jones, Wash.	Owen	Swanson
Culberson	Kellogg	Page	Thomas
Cummins	Kendrick	Penrose	Townsend
Curtis	Kenyon	Phelan	Trammell
Dial	Keyes	Phipps	Underwood
Dillingham	King	Pittman	Wadsworth
Edge	Kirby	Polindexter	Walsh, Mass.
Elkins	Knox	Pomerene	Walsh, Mont.
Fernald	La Follette	Ransdell	Warren
Fletcher	Lenroot	Reed	Watson
Frelinghuysen	Lodge	Robinson	Williams
Gay	McCormick	Sheppard	Wolcott
Gerry	McCumber	Sherman	
Gore	McKellar	Shields	
Gronna	McLean	Simmons	

The VICE PRESIDENT. Ninety-three Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President, I present the resolution of ratification, including the reservations adopted by the Senate. I am very sorry that we have not copies of it. I am told that it will be here in a few moments, so that every Senator can have a copy.

Mr. President, I understood that it was desired that the Senator from Nebraska [Mr. HITCHCOCK] might have the opportunity to offer for the resolution which I have moved a substitute ratifying the treaty without any reservation or amendment whatever, just as it stands. If the Senator desires to do so, I ask unanimous consent that he may be permitted to offer as a substitute for the resolution I have presented a resolution ratifying the treaty without any amendment or reservation.

Mr. FLETCHER. Mr. President, I call the Senator's attention to the use of language which is somewhat different in the resolution as printed from the reservation adopted by the Senate. I refer to the first reservation, where it reads—

The reservations and understandings adopted by the Senate are.

And so forth. Instead of the word "understandings" the Secretary read "conditions."

Mr. LODGE. The word "conditions" was put in by a mistake. That is not the way the reservation was adopted. The language ought to be "reservations and understandings."

Mr. FLETCHER. But the resolution does not contain the word "understandings"; it contains the word "conditions."

Mr. LODGE. It must contain the word "understandings." I want to say to the Senator that in some way the language of the first sentence has been incorrectly stated. The correct reading of the first resolution is "reservations and understandings."

Mr. FLETCHER. I think as it has been read, if the Senator will allow me, the word "conditions" has been used instead of "understandings."

Mr. LODGE. The word "conditions" was not intended and has no business there.

Mr. FLETCHER. I am speaking of the resolution as it was read.

Mr. LODGE. There has been omitted the clause "which are hereby made a part and a condition of the resolution of ratification." That is the phrase which was used. On yesterday in conjunction with the officials at the desk I arranged a correct copy of the resolution, but I understand the Secretary can not give me that copy now, it having gone to the Printing Office. However, it is not correctly stated. I am sorry to delay the Senate but I must make it correct. [A pause.]

I now have a corrected copy as it was adopted by the Senate. I am using the committee print which has just come from the printer from which is omitted one clause which Senators can put in for themselves. As corrected the resolution reads:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.

Mr. McCORMICK. Mr. President, will the Senator read the omitted clause a second time?

Mr. LODGE. The omitted clause, coming after the word "understandings," is "which are hereby made a part and condition of this resolution of ratification."

Mr. KNOX. Mr. President, a parliamentary inquiry. Has the Senate upon its Secretary's desk the absolute record of what we did, to which we can refer without any reference to what the printers have done, or what mistakes there may be in the print; or, are these original records sent to the printer?

The VICE PRESIDENT. They are not original records. As reservations are adopted they appear in the CONGRESSIONAL RECORD.

Mr. KNOX. Do they not appear in any minute book?

The VICE PRESIDENT. Oh, yes; certainly.

Mr. LODGE. They all appear in the Journal.

The VICE PRESIDENT. Yes; they all appear in the Journal.

Mr. LODGE. And they have all been taken from the Journal, and are in this print from the committee.

Mr. KNOX. Very well. Then we are in such a position that if we find an error here we can correct it by reference to the Journal. Is that the idea?

Mr. LODGE. Absolutely. They were taken carefully from the Journal last night.

I submitted a unanimous-consent request, Mr. President.

Mr. HITCHCOCK. Mr. President, I understand that the Senator from Massachusetts suggests that the Senate might give unanimous consent for us to propose a resolution of unqualified ratification to be voted on at this time.

I thank the Senator from Massachusetts for the suggestion; but it is the consensus of opinion over here that inasmuch as the Senate has already taken up these reservations and has committed itself to the reservations proposed by the Senator from Massachusetts, it would not be timely to propose now, while Senators are bound by pledges, a resolution of unqualified ratification. If the Senator will permit us to secure unanimous consent for such a resolution immediately following the vote upon his resolution, we shall be very glad to avail ourselves of it.

Mr. LODGE. Mr. President, of course, if the Senator does not care for the unanimous consent which I have asked for, I shall withdraw my request; but I can assure him that he is mistaken if he thinks that pledges have been given which will be set aside. There have been no pledges. The votes that have been given have been the free, undictated votes of the Senators on this side, and, in my judgment, they will not be modified by any talk of withdrawal of pledges.

Mr. SMITH of Georgia. Mr. President, I have given the best thought of which I was capable to this treaty and to these reservations. I have declined to allow my views to be controlled by those of any one else. There are parts of these reservations that do not accord exactly with what I would prefer.

The introductory resolution, I think, is ill-advised. I believe it would be much better if, by acquiescence, the other nations agreed to our action, and if our treaty with Germany was in no sense dependent even upon their acquiescence. I

regard the language in the Monroe doctrine reservation as too extreme, and also in the Shantung reservation. But, Mr. President, the treaty with these reservations is vastly better than the treaty without them. As between the treaty with these reservations and a resolution of ratification without reservations, I have no difficulty in reaching a conclusion. These reservations free the treaty from language of uncertainty. They take from it provisions doubtful, provisions which, both on account of uncertainty and their doubtful nature, must necessarily lead to disputes, and from disputes to war.

There is no intelligent provision in the treaty as to who shall determine whether a nation seeking to withdraw has complied with its obligations. The second reservation clarifies that question, and declares that the United States will pass for itself upon the question of a performance of its obligations in case of a notice to withdraw.

The language of the treaty with reference to our domestic problems, including immigration, with reference to the questions that are to be investigated by the council and even submitted to arbitration, is doubtful and unsatisfactory. It is language calculated to bring dispute, and to involve this Nation in war. It is language not to preserve peace, but language to bring war. The reservation upon that subject is excellent, and meets my hearty approval.

The language of the league covenant with reference to mandates is doubtful and uncertain. Constructed by an Englishman, naturally he had the English practice in view; and under the English practice the representative of Great Britain in the council, under the direction of the ministry in London, would control the action of Great Britain and accept mandates. I am utterly unwilling for a member of the council 3,000 miles away, even by direction of the President, to put a mandate upon the United States, and especially that mandate which is now being so often suggested—a mandate for one country to handle the Turkish Empire.

The language in the covenant grew out of the English practice. While this great power is given to the English ministry, it is all subject to the control of Parliament, because the moment the British ministry disregards the wishes of Parliament a vote of disapproval retires the ministry. No such system exists in this country, but rather if a Member of the Senate disagrees with the administration, steps are taken to retire the Senator. [Laughter.]

The league covenant gives Great Britain six votes and gives the United States only one vote in the league assembly. A reservation provides that the United States will assume no obligation to be bound by any vote or decision of the league where a member and its colonies cast more than one vote.

Then, when we come to article 10, the reservation is not quite as strong as I wish it were, but it is a vast improvement upon the article as it is found in the covenant. I can not consent to see a treaty fastened upon this country, if I can prevent it, which places upon our country the burden that the first paragraph of article 10 places upon it. I hope no treaty will ever be ratified with a reservation less strong, so far as article 10 goes, than the reservation now in this list of reservations. To preserve the status quo of the world is practically its effect. After exquisite language about "freeing subject nations" and "self-determination" expressing the attitude of the United States, we practically assume under article 10 the burden of maintaining the status quo, when nearly one-third of the peoples of the world are subject nations under our four principal allies. I can not vote for such an article. I can not vote such an obligation upon the people of my country. I can not vote to draft our boys for every war and to maintain the present world status. I shall vote for the resolution and the reservations that have been presented, although, as I stated before, in several respects I would be gratified to see them changed; but they are so much better than the treaty as it stands that, as I desire the treaty ratified even with these reservations, I support them.

Mr. President, it is a question for each Senator to decide for himself. I wish each Senator would decide it for himself. Party obligations can not rise as high as duty to your country. I dislike to disagree with my party associates, but on a question of this importance I am constrained to do so. I believe that the league covenant as it stands involves such sacred rights of our country, and is calculated to bring such distress upon our people, that I would be faithless to my obligations if I failed to vote for ratification with reservation.

Mr. KNOX. Mr. President, I have voted in the Committee on Foreign Relations and also in the Senate for the reservations that are attached to this resolution of ratification, but as I intend to vote against the resolution of ratification itself I think I should place in the Record the reasons for that course.

I voted for the reservations because I wanted to make the treaty as little harmful and as little obnoxious to our Constitution and the spirit and institutions of my country as it was possible, keeping in view the temper of the committee and the temper of the Senate. But, Mr. President, while these reservations have been helpful in that direction, in my deliberate judgment, formed after the most careful and painstaking study of this instrument, a study undertaken with no original attitude of unfriendliness toward it, as it stands with these reservations it is my judgment that it imposes obligations upon the United States which under our Constitution can not be imposed by the treaty-making power. It delegates powers and functions to an extraneous body of such a nature that only the people of the United States by an amendment to the Constitution could confer, and I think no man need make apology who can conscientiously say that if he were to vote for the resolution of ratification of this treaty he would be consciously committing deliberate perjury, perjury to the oath taken to support the Constitution against foreign and domestic enemies—and it has been assailed by both—and converting his seat here from a seat of honor to a seat of dishonor.

Mr. LODGE. Mr. President, I have received from the press a copy of a letter which has been given out, I understand, and which I think, as the Senator from Nebraska [Mr. HITCHCOCK] has not offered it, should be read at this time before we vote.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

Mr. LODGE. It can be read in my time.

The Secretary read as follows:

THE WHITE HOUSE,
Washington, 18 November, 1919.

MY DEAR SENATOR: You were good enough to bring me word that the Democratic Senators supporting the treaty expected to hold a conference before the final vote on the Lodge resolution of ratification and that they would be glad to receive a word of counsel from me.

I should hesitate to offer it in any detail, but I assume that the Senators only desire my judgment upon the all-important question of the final vote on the resolution containing the many reservations by Senator LODGE. On that I can not hesitate, for, in my opinion, the resolution in that form does not provide for ratification but, rather, for the nullification of the treaty. I sincerely hope that the friends and supporters of the treaty will vote against the Lodge resolution of ratification.

I understand that the door will probably then be open for a genuine resolution of ratification.

I trust that all true friends of the treaty will refuse to support the Lodge resolution.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

HON. G. M. HITCHCOCK,
United States Senate.

Mr. LODGE. Mr. President, I think comment is superfluous, and I shall make none.

Mr. THOMAS. Mr. President, the conclusion which I have reached regarding the pending resolution was reached long before I was made acquainted with the contents of the letter which has just been read to the Senate.

I shall vote against the ratification of the treaty. The reasons which animate me to that end I have so frequently stated upon the floor of the Senate that it is not necessary for me to say more at this time.

Mr. ROBINSON. Mr. President, for reasons very different from those asserted by the Senator from Pennsylvania [Mr. KNOX], it is my purpose to vote against the pending resolution of ratification incorporating reservations adopted by a majority of Senators.

During several months, to the exclusion of nearly all other important business, the Senate has had under consideration the treaty of peace with Germany. It now seems probable, unless the advocates of unqualified ratification and so-called reservation Senators reconcile differences, that the result of our labors may be failure. The Senate is about to vote on an alleged resolution of ratification, a resolution which, it seems to me, does not ratify, but which in fact and in legal effect, constitutes a rejection of this treaty.

All Senators recognize the importance of the vote soon to be taken. This vote invites the judgment of the people of this country, and, indeed, the judgment of all mankind, upon the policy implied in the resolution of ratification incorporating reservations agreed to by the majority.

Many of us are convinced that the adoption of the pending resolution, as I have already stated, will accomplish no useful purpose. The Senator from Massachusetts [Mr. LODGE] has

had read into the Record a letter issued by the President, in which that officer, representing a part of the treaty-making power, declares that the pending resolution of ratification can not accomplish ratification; that it is in fact rejection of the treaty; and therefore it is futile to adopt the resolution.

The statement that the resolution of ratification will in fact defeat the treaty will occasion no regret to the Senators who from the beginning have advocated its rejection. They have apparently succeeded, temporarily at least, in accomplishing indirectly what could not be done openly and frankly. Through alleged reservations, which will not likely be accepted by other parties to the treaty, they seek to exclude the United States from fellowship with her late allies and from membership in the league of nations. In almost every line of the reservations is implied antagonism of Senators toward the President. Suspicion and mistrust of the nations associated with this Government in the recent war are reflected by the reservations, sometimes poorly concealed, often clearly evinced.

The avowed purpose is to completely repudiate every obligation of this Government to encourage and sustain the new and feeble States separated, by our assistance during the war, from their former sovereignties by withholding from them the moral and military power of the United States.

To me it seems regrettable beyond expression that Senators who desire to improve the treaty and who desire also that it shall become effective should lend their assistance to a course in which the avowed enemies of the league of nations must find unbounded gratification and pleasure. Is it not unpardonable for friends of the treaty to couple with the resolution of ratification conditions designed to deprive the Executive of his constitutional functions? It is worse than idle—it seems to me hypocritical—to impose terms and conditions which make the exchange of ratifications impracticable, if not impossible.

Membership in the league of nations is treated, in the reservations, with so little dignity and as of such slight importance as to authorize its termination by the passage of a mere concurrent resolution of Congress. This attempt to deny to the President participation in withdrawal by this Government from the league and to vest that authority solely in the two Houses of Congress in disregard of the plain provision of the Constitution displays a spirit of narrow opposition to the Executive unworthy of the subject and unworthy of the Senate of the United States.

The requirement that before ratification by the United States shall become effective the reservations adopted by the Senate must be approved by three of the four principal allied powers is designed to make difficult the exchange of ratifications. Mr. President, it can have no other purpose; it can accomplish no other end.

The reservation respecting article 10 nullifies the most vital provision in the league of nations contract. It absolves the United States from any obligation to assist in enforcing the terms of peace, an obligation that the leader of the majority, in his speech to this body on the 23d day of August, 1918, and again in December of the same year, asserted as one which the United States can not without dishonor avoid or escape.

No Senator can doubt that the repudiation by the United States of the undertaking in article 10 to respect and preserve the territorial integrity and political independence of the other members of the league weakens, if it does not destroy, one of the principal agencies or means provided by the league for the prevention of international war.

The reservation withholding the agreement of the United States to the arrangement in the treaty respecting Japanese rights in Shantung, and reserving for this Government freedom of action in case of controversy between China and Japan regarding the subject, admittedly will not be accepted by Japan, and probably it will not be accepted by either France or Great Britain. In making this declaration, I repeat the statement made in the Senate a day or two ago by the Senator from North Dakota [Mr. McCUMBER], and I make the inquiry how any friend of the treaty who wants it ratified, and who realizes that under these reservations our ratification can not become effective unless it is approved by three of the four principal allied powers—I make the inquiry now how a Senator who takes that view of the subject and wants the treaty ratified can support the pending resolution?

It may be, Mr. President, that the friends of this treaty have made a mistake. Undoubtedly the friends of the treaty, and not its enemies, should dictate the policy of the Senate concerning ratification. The Senators who have opposed ratification from the beginning have imposed upon an overwhelming majority of the Senate, by their power and influence, their views respecting the resolution of ratification.

As the measure now comes before the Senate it comes with the open declaration of the Executive, who is the sole agency through whom this Government may exchange ratifications, that that act will not be accomplished. It comes with the recognition of the fact by the Senators who favor the treaty that the reservations are of such a nature that they will not be accepted by other nations.

Make no mistake about it. The Senate should either ratify this treaty unqualifiedly or upon such terms and conditions as will justify the Executive and enable him speedily to conclude peace by an exchange of ratifications.

The resolution of the Senator from Massachusetts incorporating the reservations as agreed upon will probably result in the refusal of the Executive to attempt to procure the consent and approval of three of the four principal allied powers. If he should make the attempt, it is plain that our self-respecting allies will not accept the terms and conditions which we seek to impose by these reservations. Why, then, Mr. President, should the resolution proposed by the Senator from Massachusetts be agreed to? Every Senator knows that it can not effectuate peace. The Senator from Massachusetts himself on last Sunday issued a statement to the press in which he declared that "The treaty is dead."

I call now upon the friends of the treaty to take charge of the corpse. By their action they can revitalize it. The enemies of the treaty, Senators who do not favor its ratification, have controlled the proceedings of the Senate heretofore. It is time now that those of us who favor the treaty, and we have the necessary number, should get together and ratify it.

Mr. SHERMAN. Mr. President, I turn for solace and for guidance to Holy Writ and quote from the Book of Job:

Shall not the multitude of words be answered? And shall a man full of talk be justified?

I felicitate myself on this occasion, Mr. President, as, for the first time since the armistice was signed, finding myself in accord and voting with the administration. [Laughter in the galleries.]

The VICE PRESIDENT. It may just as well be understood now as at any time that occupants of the galleries must keep order or the doorkeepers will remove the offending visitors.

Mr. SHERMAN. I, too, shall vote against the treaty and the reservations attached to the resolution, much as I regret to part company with some of my beloved associates on both sides of this Chamber.

The future of this measure is shrouded in uncertainty. Perchance it sleepeth only and waits for our all-wise Executive to rouse it from its torpor and again threaten us with its pristine beauty and excellence. It may be pleasingly arrayed in alliterative phrase and sonorous periods cunningly placed to obscure the selfish, boiling hell of the original text. Every ambush to the military man who is caught thereby looks mild until it starts into action. Beware of future reservations that do not reserve. It is impossible to divine the inopportune time when this alien skeleton in the Executive closet will again be dangled in this Chamber. In more pious days our forbears spoke of coming human events to occur at early candlelight if Providence permitted. Henceforth matters of great pith and moment will wait at any time on the nerve centers and digestive apparatus of statesmen, Providence omitted. The cloture which we have applied for the first time will stick closer than a brother when that hour strikes. Nothing but a reversed majority in this Chamber can relax its strangle hold upon this body.

Few officials handle public business with the economy and vigilance used in private life. That few who do seldom survive long on elective tickets. The dear people themselves are the cause and the same people pay the dear price, such of them as pay anything. I know some philanthropists and very zealous charity workers who industriously, with much loud advertising of their manifold virtues, relieve the poor at somebody else's expense. Such good Samaritans are ever ready to experiment and exploit another's pocketbook.

Some Senators say this measure is a promising experiment and may do some good. Distance lends enchantment to the far-away view, as usual, tinged in the haze of general abstractions. Not one of them would try such an experiment on his own person or private fortune. If, happily, the reservations adopted prove the death of the treaty, let this be my funeral oration over the defunct remains. I shall not, on this measure, again be heard. I make that announcement to relieve a suffering Senate and sorely oppressed public. It is the only time when I have failed to speak well of the departed. To do otherwise would rise to a height of dissimulation which I can not attempt.

This league and treaty, whether reserved or otherwise, are a charter of an international homicide club. Reservations do not relieve us of the usual responsibility of charter members. It converts Europe into a legalized cockpit, and the three continents of the Eastern Hemisphere into philanthropic shambles covering the selfishness of ancient nations with the cloak of altruism.

The sea is not made free. It is open under this league only to the strongest navy, and its only law is that reaching from Salamis to Scapa Flow. The rule is still one of superior force in the midst of empty Executive essays and the learned lying jargon of Old World diplomacy.

This instrument we are asked to ratify is grasping and heartless, godless and defiant of human rights and national independence. It contains no maxims of justice. It writes no code of laws for nations. It advances no remedy. It only declares its omnipotence and vests power. It undertakes to place that supreme power in the hands of the few without restraint or limitation save as imposed by the god of battles. It reverts to barbaric force and survives, if at all, upon the sword. Professing to announce the modern evangel of civilized nations, it turns to the practices of the warriors and conquerors of every age to justify its treacherous creed. It is built upon force and can not last unless by the wars it mendaciously claims it will end. Power, remorseless, cruel, and cold as the muzzle of the British cannon with which it girds the world, inspires its articles and broods like an evil spirit over this malign thing.

Universal peace is graven above its portals and perpetual war abides beneath its alien dome. If it shall endure, it consecrates its iniquity beneath the changeless sway of its assumed, comprehensive, all-embracing knowledge of its founders. If they know as much as their handiwork imports, their like has not heretofore appeared on earth and no man born of woman is fit to succeed them. "No doubt but ye are the people, and wisdom shall die with you." After them the deluge, for what aspiring mortal shall be worthy! Their work is presented to us as the collected, sublimated wisdom of mankind. To amend it the Senate has decided is hazardous, if not a profanation. To attach reservations to the ratifying act is blasphemy to the deserted minority remnant who mourn the mild reservationists' fall from ineffable grace. Hope springs eternal in their devoted breasts, for the President vows he will not return to Europe with the Americanized document. An Executive pigeonhole will bury it forever unless a new and more European set of reservations are substituted. The faithful look longingly and reproachfully, if not lovingly, at Republicans who browse on the borderland between the affairs of our own and other countries. When the Executive displeasure shall have been sufficiently manifested it is hoped a milder set of reservations may be devised, denatured of the Americanism which may find favor with some of their former well-wishers on this side of the Chamber.

If a diluted set of reservations appear and are held in order, sealed with the Executive stamp, they will face a dumb and voiceless Senate, for it has clutched itself into speechless silence, punctuated only with roll calls. Whatever the effect of the mild reservations hereafter appearing in this Chamber, discussion is gagged and no means remain here to reach the public opinion that has approved, if not caused, these adopted reservations. More than the necessary two-thirds of the Senators have taken the oath of total forensic abstinence. The pledge binds not alone on these reservations but all future ones proposed with every move hereafter taken or submitted on the league and treaty.

The Senate is a continuing body. Not like the House of Representatives do its Members pass through the alembic of a ballot box every two years, but two-thirds of its membership hold continuously from one Congress to another. The Senate under cloture sits a chamber of silence and a sepulcher of parliamentary debate.

As originally presented, unvexed by reservations, preserving, it is claimed, American sovereignty and independence, this document is declared to be all sufficient for the future, reaching to remote ages and anticipating conditions unknown to human ken. It is supposed to be adequate for generations unborn, for it proposes to shackle them with the unbreakable manacles of its perpetual covenants. Its dominant spirits are self-appointed guardians of the world's geography and the nations thereof. The league's articles forge mighty instruments out of erring mortal men. They are set upon thrones of illimitable world sovereignty. Their jurisdiction covers all human affairs and their powers are entirely adequate for the duties conferred.

Nothing is sacred from their meddling, intrusive hand. No barrier will stay their invasion. The threshold of no man's house is safe from their spies and agents. There is no privacy they regard; no human rights they are bound to respect. There

is no law they may not violate, and no privilege of citizen or subject they may not revoke or outrage. Constitutions and charters dissolve at their arbitrary touch, and a nation's statutes are silent before their edicts.

No king ever wore the crown of such sovereignty or stretched his scepter over such universal or absolute dominion. Nations become their pawns, officials of republics and monarchies alike become their vassals. They create States, survey their boundaries, examine their resources for future seizure or levy, chart and direct their access to the sea whose maritime laws wait on the breath of their unbounded power. They denote forms of government. They put up and pull down rulers. Whole peoples are cast headlong into eternal association with their inveterate and hereditary enemies. Decrees are issued that shame the rescripts of Caesar. Even now the oligarchy assumes the look and stature of absolutism that dwarf the Corsican at the zenith of his imperial sway. It gathers the chosen nations beneath its shelter and exiles others to the limbo of its displeasure. Inevitably it must and does assemble the world's powers into two great groups. It is not in man or in human nature peaceably to endure such transcendent authority. Antagonism is invited. The league's very assumptions will rally every nation with a vestige of patriotism beneath the flag that typifies opposition. It prepares the way and inspires the spirit of armed collision.

It can not be an agency of peace when it assembles all the causes that have moved sovereign nations to war ever since history has taught how little mankind's primeval passions have changed in centuries. Human credulity is challenged by this collection of alien self-interests offered us as the fountainhead of eternal peace. It is the potent, insidious sneak thief of Europe disguised in the cloak of international philanthropy. In Asia, where one of the principal allied powers spent the whole period of the war in garnering the commerce of the distressed nations of the world and storing the gold and means with which to expand itself by force the league is the ambush to delay and deceive us. This measure is even now pillaging American resources, binding our young men on the bloody altars of Europe's quarrels, and riveting on us the government of a foreign capital.

The territory it has seized, the ports it has taken, the conqueror's terms imposed, the empires dismembered, the rancorous feuds created, coupled with the insane meddling of our country at every danger point in Europe's thousand years of jealous struggle, the imbecile interference in Asiatic controversy have made this oligarchy, if we enter it even with reservations, a source of eternal woe. If we vote it upon our people, it will reach out its mighty hand to smite the millions who come after us to their undoing and ceaseless affliction.

Even now, Mr. President, the great tax powers of nations are sought by this power-grasping oligarchy. The men dimly visible behind the vast authority of the league's council are moving steadily toward their goal. How little of this towering fabric of supermen is known to the victimized people whose blood and toil will pay the price of this merciless coterie. Against the lack of the multitude's knowledge is pitted the precise, definite purpose of Europe to drag the United States, its resources, and its potential military power into the den of the Old World's endless intrigues and future wars. Hasten the day of universal military training, for a prepared militant America girt for action and inspired by a rebirth of national spirit to burst the fetters bound upon this Republic is the only avenue of our safety. Only another American revolution will break the dominion of alien power once it settles on us.

The first step in this stupendous usurpation is to internationalize the war debt. This accomplished, the ceaseless vigilance of the world's creditors is the lever acting on the fulcrum of a great funded debt. Such a power makes the league's council the receiver general of all terrestrial finances. It administers and audits the fiscal affairs of nations and sits perpetually at the receipt of customs of every people.

An international banker is a man without a country. His allegiance is to government accounts and the blood of his patriotism circulates responsively to the world's balance of gold in his vaults. I denounce him and his alien breed. I shall join issue between him and the American people; and if it be called talking to the galleries, so let it be. We will see who votes—the galleries or the international bankers—in this country. Let those who vote to subject our country to their mercenary creed reckon with an aroused indignant country's wrath at their betrayal of our blood for gold.

Usurped power once enthroned is never still. It constantly advances to further usurpations until it reaches the summit of absolutism and degrades and destroys the sovereign authority of independent States. The tremendous powers of taxation by steady attrition of usurping executives, the aggressions of internationalized union labor, and foreign economic forces will break

down the resisting power of Congress, the weakest branch of Federal Government. Union labor leaders are committed to the program. Congress, too, is beginning to show its usual vacillation and to waver under fire. Many of its Members think more of succeeding themselves than they do of performing their duties. Unless the American people shall transfuse into the Congress a new spirit through an electoral convulsion their sovereignty will pass to the potent and ancient arm of the Eastern Hemisphere. Do not underrate the international banker and the labor leaders now joined in a common enterprise.

But will not American diplomacy defend? The American is an infant in world diplomacy. No training in that involved school of selfish intrigue and international perjury is given our ambassadors. We are the sport of dissembled selfishness and the derision of the veteran plunderers of the world's treasury and territory. The spirit of Talleyrand and Metternich still speaks in Europe through the lips of adroit and worthy successors. Against them the American delegates to the peace conference were a quintet of as promising greenhorns as ever fell into the hands of men of genius.

Vain indeed were the President's Spartan band of thirteen hundred retainers, with their provincial wisdom, marshaled by the distinguished Col. House. They went down ingloriously in the first encounter with the veteran diplomats of Europe and Asia. The doughty Col. House ought to be satisfied now. He died with his diplomatic boots on and his indomitable and inscrutable face to the foe. He wished it so in his latest biography extant. Our delegation in "gay Paree" lost their characters and our money, but escaped with their lives and a belated copy of the league of nations. This souvenir of their sojourn abroad bristles with the selfish philosophy of Abe Potash, sharpened with the cruel avarice of Shylock, and interwoven with the crude commercialism of David Harum. Under it we would be done first, without a chance to do anybody or anything in return.

Comedy treads on the heels of tragedy. Mirth and tears follow each other over every face, etched by sorrow's compelling hand. The cap and bells ever peep from unexpected nooks near the scaffold and the headsman. Laughter waits on the soberest occasion, and lurks beside the Æsop and the Solomon. In the heretofore unostentatious annals of our country nothing ever approached the departure of our peace commission last December. It was preceded by several years of brave array of notes and messages, resting on a broad foundation of universal advice, crowned by the 14 points, which were again fatally injured on yesterday. I did not mean to insult the minority by voting with them on that occasion, but I was only mindful of historic conditions and sought, once in my life, to be consistent.

Our five delegates, nominal in number, reduced in the ultimate analysis to one, sailed from our shores, "sonorous metal blowing martial sounds," and the plaudits of the multitude gladdening their ears. Europe made holiday when it or he arrived. Some of it was lodged in the palaces of kings and nobles. Likewise there was dining from golden platters. Repose was taken where statues, rare tapestries, and the canvas of ancient masters soothed the weary to their slumbers. Swarms of lackeys and many lords of the bedchamber encompassed about the head of the delegation, and adulation sat upon his doorstep. It bore abundant fruit. His hosts received the plenteous spoils of war in the treaty and we were vouchsafed the league of nations. And, now, in the eighth month of the second hegira, the league, like Hamlet's uncle, is become a king of shreds and patches—so much so that those who have stood sponsors for it and who have fought long and well and prayed with the zeal that comes to them who harken to the call of the muezzin to prayer are no longer able, with the reservations and the letter from the head of the delegation, to give it further their support. Hence, the time adverted to, when I joined with them. Our motives would not bear analysis, but our votes will be alike.

The faithful, indeed, swear by the beard of the prophet that they will have none of it. The cavalcade, with its stately band of retainers, its squandered millions, its lofty structure, ambitious as the Tower of Babel, is even now toppling to its fall. All is vanity and vexations of spirit. Out of it the American will emerge purified and strengthened, resolved anew that institutional government and the Republic shall endure.

Only posterity can determine whether the world-heralded peace pilgrimage ranks with Ford's cruise of *Oscar II* or the Retreat of the Ten Thousand. Its portrayal at present can not be definitely assigned. I am unable to decide whether it requires a humorist or a historian, a Mark Twain or a Xenophon. I am disposed to allot the task to the future humorist, if justice is to be done to the entire unhappy affair.

Mr. EDGE. Mr. President, the reading of the letter from His Excellency the President of the United States a short time ago and its insertion in the Record, particularly in view of the paragraph which inferred that, following a possible negative vote on the resolution of ratification now before the Senate, there would be a further opportunity to prepare and pass a resolution of ratification which met the approval of the President, leads me to make a very brief statement.

So far as I am concerned, I feel that the time for any material changes in the resolution of ratification or in the various reservations that have been perfected and adopted by a majority vote of the Senate has passed. We have been considering for weeks and months various suggestions for reservations through which our country could be properly protected in this great and to an extent experimental proposition before us. On this side of the Chamber, as is well known, we have probably had every viewpoint; those who are unquestionably and conscientiously opposed to the whole plan of the league and have consistently voted that way; others who just as conscientiously believed there was a possibility of preventing war in the future by a combination of nations, resulting in an interchange of viewpoints, and, at least, by retaining in the covenant that to me very important section which provides that no member nation in case of a dispute or disagreement shall declare war until three months have passed.

As is well known, we have met and discussed various suggested reservations; as is well known, changes have been made and compromises have been made; these are days of compromises; and when the extreme viewpoints that had been developed on both sides of the Chamber were thoroughly understood, it appealed to me then that the duty of a strong man was to give and take; not to compromise with wrong, but to endeavor to reach a common agreement whereby the best results could be attained and the league authorized. It is time for sincere friends of the league on the other side of the Chamber to rally to its support. Personally I have no fear of our allies refusing to acquiesce in our reservations if they are presented to them. We do not attempt by reservations to dictate to them. We only protect our own destiny and no way deny them a similar privilege, and if they made such reservations the league would function just the same without giving up individually sovereignty and independence.

Again, may I say with a conviction—which is very positive, so far as I am personally concerned—the time for further compromise has passed. I might sum it up in one sentence—and it is not said unkindly or bluntly—but here is the treaty with a resolution of ratification, perfected after weeks of consideration, of compromise, of change, and of an attempt to meet diverse viewpoints; here it is; take it or leave it alone.

Mr. LENROOT. Mr. President, in the letter of the President, which the Senator from Nebraska [Mr. HITCHCOCK] had read to the Democratic conference this morning and which was read in the Senate this afternoon, the President, speaking of the pending resolution, used this language:

In my opinion the resolution in that form does not provide for ratification, but rather for the nullification of the treaty.

Mr. President, the time has gone by when general statements like that, having no foundation in fact, can be longer made and the American people be deceived thereby. That statement ought not to go unchallenged before the vote is taken, and I propose to take a few minutes of the Senate's time in examining what is left of the league-of-nations covenant and of the treaty if the treaty be ratified with the reservations attached.

Beginning with the league covenant, we read articles 1, 2, 3, 4, 5, 6, and 7. The reservations do not affect any of those seven articles except in two particulars—one with reference to the right of withdrawal of the United States from the league, and the reservation that has been adopted in that respect is in exact accord with the interpretation given to the treaty by the Senator from Virginia [Mr. SWANSON] and many other Senators upon the other side.

The other reservation affecting these articles is that with respect to equality of voting, which was adopted last night. If Senators upon the other side desire to take the position that protection of the United States from the 6 votes of the British Empire to our 1 vote nullifies the treaty, very well; let them take it; we will let the American people decide.

Coming to article 8, the only effect the reservation has upon that article is that, if at any time the United States should adopt a plan for disarmament, whenever the United States is engaged in war or is threatened with invasion it may have the right to increase its armament without the consent of the council or the league. Are any of the Senators who propose to defeat this treaty to-day because of the reservations opposed

to that? Do any Senators upon the other side of the aisle desire to put the United States in a position where, if it is engaged in war, it can not increase its armament to defend itself without the consent of other powers?

We next come to article 9, which the reservations do not affect in the slightest degree. The next article is article 10. That has been discussed so often, and the question involved is so clear to every Senator, that I am not going to take time upon it now, except to say that the real issue between us is not whether there shall be a league of nations, but the real issue is whether the President of the United States and the Senate of the United States shall to-day enter into an obligation that will compel our boys for all time to fight in every war that may occur in every quarter of the globe without their consent or the consent—the free consent—of the representatives whom they have chosen in the House of Representatives and in the Senate.

We are unwilling to enter into such an obligation; and I would resign my seat in the Senate, Mr. President, before I would vote to ratify this treaty with the obligation imposed by article 10 as the President of the United States asks us to accept it.

Article 11 is the next article of the league covenant. The reservations do not affect in the slightest degree that article, which, to my mind, is one of the most, if not the most, important article in the league covenant, because under that article we as a member of the league agree that we will meet and discuss in the council or the assembly matters affecting the peace of the world, but without any authority to bind or obligate anyone. Mr. President, as to the value and importance of that article, which, I repeat, is not affected by the reservations, let me quote what President Wilson said on the 4th day of September last:

Therefore, I want to call your attention, if you will turn to it when you go home, to article 11, following article 10, of the covenant of the league of nations. That article, let me say, is the favorite article in the treaty, so far as I am concerned.

Then he proceeds to detail the very great benefits to be derived by the world because of the presence of that article in the treaty. As I have said, the reservations leave article 11 absolutely intact.

The next articles in the treaty are 12, 13, 14, 15, and 16—and they are all grouped together—relating to arbitration, compulsory inquiry concerning disputes, the agreement not to go to war within nine months after the submission of a dispute, and economic boycotts for violation of any of the provisions of article 12 or 13. Those articles, Mr. President, together with article 11, well warrant the United States in entering into the league of nations, and with those articles adopted the greatest effort will have been made toward the prevention of war that has ever been attempted by any concert of nations. The articles to which I have just referred are not affected in the slightest degree by the reservations that are pending except in two particulars—one that domestic questions are not by the ratification of the treaty submitted to the league. Are you upon the other side of the aisle opposed to that? Do you object to the reservation because we refuse to agree to those articles unless we save to ourselves the right to determine our own domestic questions?

The only other provision in the reservations that affects any of the articles of the covenant is the one relating to article 16, which permits us to trade despite the economic boycott with nationals of other nations residing within our own country or in neutral countries. Otherwise, Mr. President, these reservations leave all of the arbitration and inquiry articles absolutely intact. What was the President's view a short time ago of the importance of these articles which the reservations do not touch in any material particular? He said in his speech at Indianapolis on September 4 last:

The great bulk of the provisions of that covenant—

Speaking of the covenant of the league of nations—

contain these engagements and promises on the part of the States which undertake to become members of it: That in no circumstances will they go to war without first having done one or the other of two things—without first either having submitted the question to arbitration, in which case they agree to abide by the result, or having submitted the questions to discussion by the council of the league of nations, in which case they will allow six months for the discussion and engage not to go to war until three months after the council has announced its opinion upon the subject under dispute. The heart of the covenant of the league is that the nations solemnly covenant not to go to war for nine months after a controversy becomes acute.

That obligation, Mr. President, remains intact in the treaty if it is ratified with these reservations; the reservations do not affect it in the slightest degree. So when you vote to reject this treaty, as you propose to do, you vote to reject a treaty the very heart of which, as the President says, is unaffected in the slightest degree by any of the reservations.

We go on.

Article 17 is not affected by the reservations nor are articles 18, 19, 20, or 21.

Article 22 is affected only by the reservation that no mandate shall be accepted by the United States without the consent of Congress. In voting to reject this treaty this afternoon do you Senators upon the other side take the position that you are against the treaty because you want the President of the United States to accept a mandate for Armenia, a mandate for Turkey, or a mandate for any other country across the seas, without the consent of Congress?

The next article is 23. That is not affected in any degree, except that in the reservation concerning domestic questions we reserve questions concerning labor that are not submitted to the league.

Articles 24, 25, and 26 are not affected in the slightest degree by these reservations.

I have now very hastily gone over what will be left of the covenant if the treaty shall be ratified with these reservations. The heart of it, so denominated by President Wilson, will be left. The beneficial articles, in so far as settling disputes is concerned, will be left intact. What is it that will be taken away? Obligations only, Mr. President; obligations that are imposed by this covenant and relieved from by these reservations that no American citizen, whether in public office or in private life, ought to be willing for a moment to have imposed upon the United States.

Now, let me just for a moment go through these reservations.

The first one, as I have said, relates to withdrawal, and the point is made that it is very objectionable because it provides for withdrawal by concurrent resolution of the Congress of the United States. Do you, sirs, upon the other side of the aisle, take the position in objecting to that provision that although the American people may desire to withdraw from the league and may have elected a Congress in the House and in the Senate pledged to the withdrawal of the United States from the league, nevertheless you wish to frustrate the will of the people of the land by making it subject to a veto of the President? That is the position. Take it if you want to. The American people will never indorse you.

The next reservation relates to article 10, whereby we do relieve ourselves of entering into every quarrel in every quarter of the globe, whereby we relieve ourselves of the obligation to send our boys across the seas to fight—fight, Mr. President, under this obligation just as quickly upon the side of tyranny and of oppression as upon the side of liberty, because under article 10 we will not be permitted to inquire into the justice of the cause in which we are called upon to fight.

Reservation 3 relates to mandates. I discussed that a moment ago.

Reservation 4 relates to domestic questions. Do you take the position that you object to this reservation because you want this league of nations to decide our domestic questions for us? If you do, very well; vote to reject the treaty this afternoon.

Reservation 5 relates to the Monroe doctrine, and the same comment can and should be made with reference to that.

Reservation 6 is the reservation with reference to Shantung. Under this reservation we refuse to assent to the robbery of China by Japan. We say we will have none of it, and we reserve to ourselves full liberty of action with reference to it. You, in voting to reject the treaty this afternoon, will go on record as wishing to condone—not only condone, Mr. President, but participate in—that robbery by your assent to the provisions of the treaty as they stand.

The next reservation is with relation to the appointment of representatives upon these commissions and representatives in the council. That reservation only carries out what the Senator from Nebraska, the leader of the minority, said in a speech here less than a week ago would be done by Congress in every case before appointments would be made. So that that reservation certainly can not be an objectionable one.

The eighth reservation is the one relating to the reparations commission, to which, of course, they do not and can not object.

The same is true of reservation 9. Reservation 10 is the one with reference to limitation of armaments. When you vote to reject the treaty, if you place your opposition upon the ground of reservation 10, you say, as I said a moment ago, that you want the United States to be bound that she will not be able to increase her armaments even though attacked by another nation and engaged in war; but before we can defend ourselves we must go to the council of the league and say, "Please, please, council, can we increase our armaments to defend ourselves?"

The eleventh reservation certainly they can not object to, because it merely declares the existing international law with relation to the duties and rights and obligations of belligerent States.

Reservation 12 is a comparatively minor matter, with relation to the rights of citizens under the alien-enemy act, and, of course, they can not object to that.

Reservation 13 is the one proposed by the Senator from North Dakota [Mr. McCUMBER], and withholds assent to the labor provisions of Part XIII of the treaty, but leaves Congress free to accept them in the future if they desire to do so. Do you Senators upon the other side desire to go upon record that under existing conditions and circumstances you desire now to agree to all of the obligations imposed by Part XIII? Is it not, from the standpoint of Americanism, of statesmanship, of common sense, better to wait and find out what kind of a conference this is going to be, whether it is going to be a conference of labor delegates that will conserve real democratic government, or whether it is going to be a conference that is a first aid to Bolshevism and anarchy? Had we not better find out before we enter into that kind of a combination?

The last reservation is the one with reference to equality of voting, whereby the United States declines to assume any obligation to be bound by any action of the council or assembly where any member having self-governing dominions or colonies has in the aggregate cast more than one vote, or, where the United States and that power are parties to the dispute, where they shall have voted at all. Are you willing, sirs, to go to the American people upon the proposition that you want the British Empire to have six votes and the United States one, and permit the British Empire in binding the United States to cast six votes where we can cast only one vote to bind the British Empire?

Mr. President, those are the reservations that the President says nullify this treaty. Those are the reservations because of which, it is announced this afternoon by the Democratic leader, they propose to reject the treaty. What are these reservations, Mr. President? These reservations do nothing more nor less than to Americanize this treaty so far as it affects us. These reservations do nothing more nor less than to preserve the liberty and the independence of the United States of America.

I shall be very sorry, indeed, if this issue must get into a political campaign. It ought not to. There ought not to be any partisan considerations whatever in a matter of this character; but, if need be, Mr. President, that the Republican Party must again assume the obligation to stand for Americanism, and the Democratic Party chooses to stand upon this treaty and defeat it because we have Americanized it, we will welcome the issue.

Mr. President, this treaty has not been read generally by the people of this country; but I say to you that every one of these 14 reservations will be read in every home in this land, and when they are read and when they are understood they will approve of this resolution exactly as it is proposed to-day.

APPENDIX. Resolution.

Resolved (two-thirds of the Senators present concurring therein). That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan:

1. The United States so understands and construes article 1 that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

3. No mandate shall be accepted by the United States under article 22, Part I, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations, or any agency thereof, or to the decision or recommendation of any other power.

5. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, com-

monly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan.

7. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the league of nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law, no person shall represent the United States under either said league of nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder, and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences except with the approval of the Senate of the United States.

8. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference.

9. The United States shall not be obligated to contribute to any expenses of the league of nations, or of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the league of nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

10. If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the league of nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war.

11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the league of nations, residing within the United States or in countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States.

12. Nothing in articles 296, 297, or in any of the annexes thereto or in any other article, section, or annex of the treaty of peace with Germany shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

13. The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) unless Congress by act or joint resolution shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

14. The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Mr. BRANDEGEE obtained the floor.

Mr. McNARY. Mr. President—

Mr. BRANDEGEE. Does the Senator desire me to yield to him?

Mr. McNARY. For just a moment.

Mr. BRANDEGEE. I yield.

Mr. McNARY. Following the very forceful and able remarks of the Senator from Wisconsin [Mr. LEXNÖT], I think it is appropriate that a statement issued by the Washington Bureau of the League to Enforce Peace be read at this time, and for that purpose I submit it.

Mr. BRANDEGEE. Does the Senator want the paper read?

Mr. McNARY. If you please; yes.

Mr. BRANDEGEE. I yield for that purpose. I shall want only 5 or 10 minutes, and I have an hour, so I yield gracefully.

THE PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary proceeded to read the paper.

Mr. REED. Mr. President, in whose time is the paper being read?

Mr. BRANDEGEE. Mine.

Mr. REED. Very well.

Mr. McNARY. I do not ask that it be read in the time of the Senator. I should like to have it read in my time.

Mr. BRANDEGEE. The Senator can arrange it to suit himself.

The Secretary resumed and concluded the reading of the paper, as follows:

[From Washington Bureau, League to Enforce Peace.]

WASHINGTON, November 18.

The Washington Bureau of the League to Enforce Peace issued the following statement to-day:

The League to Enforce Peace, through the action of its executive committee, urged that the reservation to the treaty

introduced by Senator REED, known as reservation 15, be defeated as nullifying the treaty. This reservation has been defeated. The Senate voted it down 56 to 36. Those remaining have their objections, and some are harmful; yet they leave a covenant which will create an efficient league equal to the task of preserving the peace of the world. A league of nations which will enforce and make more secure the peace of the world is the object for which "the League to Enforce Peace" was organized, for which it has labored through four and one-half years, and for which alone it exists. The treaty, even with the reservations now adopted, can accomplish this purpose and should be ratified. There is no adequate reason why it should not be. The world waits. Delay is perilous. Any action which casts the covenant for a league of nations for peace into the partisan politics of a presidential election will delay peace and halt political reorganization and economic rehabilitation of nations sorely smitten by war, by winter, and by famine.

The League to Enforce Peace, speaking for the great multitude which has labored for this supreme end, sensible of its responsibility, calls for the immediate ratification of the treaty, even with its reservations, but it is most important that the preamble be changed by removing the necessity for positive action on the reservations by nations definitely named and contenting ourselves by acceptance in the ordinary way by silent acquiescence within a time limited.

Failure to ratify the treaty now would defeat the world's hopes for peace now and always. Such a failure would throw the world back into worse than prewar conditions by reestablishing a balance or hostile grouping of powers with an increasing burden of armaments. If the league be once established and permitted to function with our country as a member the foundations of a new world order would continue to grow in beneficent stability, securing for all nations great and small peace with justice.

A. LAWRENCE LOWELL,
OSCAR S. STRAUS,
THEODORE MARBURG,
WILLIAM H. SHORT,

Committee of League to Enforce Peace.

Mr. REED. Mr. President, I should like to inquire of the Senator who introduced this paper if this is the same league which, in sending out a circular, boasted that it was financed by the great international bankers and business men who as subsequent testimony showed expected to get a large harvest of gold in Europe?

Mr. McNARY. Mr. President, this is the Washington bureau of the national organization, which has done tremendous good in an effort to bring about the ratification of the peace treaty, and I do not think it is pertinent to inquire who finances it, so long as they are working along the correct lines. I wish to say that the statement was issued last evening. I think I omitted to state that a moment ago.

Mr. BRANDEGEE. Mr. President, the views of the League to Enforce Peace are of no concern to me, and I do not think they have had any effect on the mind of any Senator in this Chamber, though, of course, I know the gentlemen who put them forth at periodic intervals are of the other opinion. They do no harm; they are perfectly harmless people, who are engaged in a work that they think is right, and I am very glad in my time to have extended to them the courtesy to print what has been said and written a thousand times heretofore, and what now comes with no seriously diminished force from the source from which it originates.

Mr. President, about a year ago the President of the United States issued an appeal to the country, just before the November elections. He urged the country to elect a Democratic Congress in both branches. He stated that while the Republican Party had been perfectly loyal during the war they did not support his policies and were not in favor of his administration; which was quite true. If the people had wanted his policies and administration supported they would not have elected this Congress. They rejected his demands, among which, conspicuously featured, was the following:

Unity of command in civil action is as necessary as it is on the field of battle.

That to me was a somewhat abhorrent proposition, and evidently the people so considered it. "Unity of command in civil action" in this Republic will come at a somewhat later period than this century, if I see things correctly.

The President's administration having been repudiated, and the armistice having been declared within a few days after the election, the President, who is one branch of the treaty-making power under our Constitution, came before Congress and announced that he was personally going abroad to negotiate the treaty. He stated to Congress that though far removed he should be in close touch, and he promised the joint session of

Congress that nothing should be done without our knowledge. He stated that the affairs were so vast and important that he would keep us closely advised of what took place in Europe. He denounced secret diplomacy and pledged himself to covenants openly arrived at.

After a sojourn of several months abroad he reappeared in Washington. The covenant which he brought with him was substantially that which we are about to reject. He gave a dinner at the White House, and had as his guests the members of the Senate Committee on Foreign Relations and of the House Committee on Foreign Affairs. The covenant and its terms were discussed as fully as at that time it was possible to discuss them, because it had only been exhibited to the American people in its perfected form for a very short period.

Immediately the attention of the members of the Senate committee and of the House committee was directed—by themselves, I mean—to what were considered to be vital defects and infringements of our Constitution and form of government. Radical departure from our traditional policies were pointed out and discussed, and the President was informed that changes would be absolutely necessary and that the covenant in the form in which it then stood was absolutely unsatisfactory to the Committee on Foreign Relations of the Senate.

The President, apparently taking the ground that to reopen the points referred to as defective and dangerous would involve a resubmission of the whole matter back to the committee of the plenary council, paid no further attention to it.

The meeting had been about February 16, as I remember the date. A couple of weeks passed by swiftly, and Congress was about to adjourn. But the members of the Committee on Foreign Relations of the Senate realized that if Congress adjourned sine die and dispersed over the country without expressing any views to guide the President, without making any attempt, whether he had made any or not, to advise and consult with him, as it was our constitutional duty to do, and he, separating himself again by the breadth of the Atlantic Ocean from his fellow countrymen, would be out of touch with the views of the country unless some method was taken to inform him that if he persisted in his then intention disaster would impend; whereupon, on the 4th of March, 1919, as appears on page 4974 of the CONGRESSIONAL RECORD, the Senator from Massachusetts [Mr. LODGE] introduced the following resolution:

Mr. LODGE. Mr. President, I desire to take only a moment of the time of the Senate. I wish to offer the resolution which I hold in my hand, a very brief one:

"Whereas under the Constitution it is a function of the Senate to advise and consent to or dissent from the ratification of any treaty of the United States, and no such treaty can become operative without the consent of the Senate expressed by the affirmative vote of two-thirds of the Senators present; and

"Whereas, owing to the victory of the arms of the United States and of the nations with whom it is associated, a peace conference was convened and is now in session at Paris for the purpose of settling the terms of peace; and

"Whereas a committee of the conference has proposed a constitution for a league of nations and the proposal is now before the peace conference for its consideration: Now, therefore, be it

"Resolved by the Senate of the United States in the discharge of its constitutional duty of advice in regard to treaties, That it is the sense of the Senate that, while it is their sincere desire that the nations of the world should unite to promote peace and general disarmament, the constitution of the league of nations in the form now proposed to the peace conference should not be accepted by the United States; and be it

"Resolved further, That it is the sense of the Senate that the negotiations on the part of the United States should immediately be directed to the utmost expedition of the urgent business of negotiating peace terms with Germany satisfactory to the United States and the nations with whom the United States is associated in the war against the German Government, and that the proposal for a league of nations to insure the permanent peace of the world should be then taken up for careful and serious consideration."

Mr. LODGE continued:

I ask unanimous consent for the present consideration of this resolution.

Mr. SWANSON. I object to the introduction of the resolution.

Mr. LODGE. Objection being made, of course I recognize the objection. I merely wish to add, by way of explanation, the following:

"The undersigned Senators of the United States, Members and Members elect of the Sixty-sixth Congress, hereby declare that, if they had had the opportunity, they would have voted for the foregoing resolution:

"HENRY CABOT LODGE.

"PHILANDER C. KNOX.

"LAWRENCE Y. SHERMAN.

"HARRY S. NEW.

"GEORGE H. MOSES.

"J. W. WADSWORTH, JR.

"BERT M. FERNALD.

"ALBERT B. CUMMINS.

"F. E. WARREN.

"JAMES E. WATSON.

"THOMAS STERLING.

"J. S. FRELINGHUYSEN.

"W. G. HARDING.

"FREDERICK HALE.

"WILLIAM E. BORAH.

"WALTER E. EDGE.

"REED SMOOT.

"ASLE J. GRONNA.

"FRANK B. BRANDEGEE.

"WILLIAM M. CALDER.

"HENRY W. KEYES.

"BOIES PENROSE.

"CARROLL S. PAGE.

"GEORGE P. MCLEAN.

"JOSEPH IRWIN FRANCE.

"MEDILL MCCORMICK.

"CHARLES CURTIS.

"LAWRENCE C. PHIPPS.

"SELDEN P. SPENCER.

"HIRAM W. JOHNSON.

"CHARLES E. TOWNSEND.

"WILLIAM P. DILLINGHAM.

"I. L. LENROOT.

"MILES POINDEXTER.

"HOWARD SUTHERLAND.

"TRYMAN H. NEWBERRY.

"L. HEISLER BULL."

I ought to say in justice to three or four Senators who are absent at great distances from the city that we were not able to reach them; but we expect to hear from them to-morrow, and if, as we expect, their answers are favorable their names will be added to the list.

My recollection is that four other Senators signified their desire to have their names placed upon that paper, and they were so placed, which would make 41 Senators, or 39, or whatever the number was. At any rate, there being 96 Senators in the Senate, 32 would be one-third, and 37 signed that note, which was 5 more than one-third of the Senate, which number can defeat any treaty under the Constitution.

That was notice to the President and notice to those with whom he was negotiating that more than one-third of the coordinate treaty-making branch of this Government was opposed to the covenant. The notice is here in the CONGRESSIONAL RECORD, the official publication of Congress. It appeared in all the papers. It no doubt went overseas, if the censorship permitted at that time. Of course, every power which was negotiating with the President knew what the Senate had attempted to do here and how it felt.

Within two or three days after that, if not the very next day, the President of the United States, with that knowledge, departed from Washington for New York, and that night in the city of New York he made an address to his fellow citizens, on the eve of his departure to resume his labors in Paris, and he told them, with this resolution in view, that when he came back he would have the covenant so intertwined with the peace treaty and their relations with each other so interdependent that they could not be separated.

Mr. President, I took occasion publicly to announce at that time that if the President carried out his threat I should unhesitatingly vote against both documents, and I intend to redeem my promise this afternoon.

This country was entitled to peace. The armistice was proclaimed, if my memory serves me, and went into operation over a year ago, on the 11th of November, and for a year the world has been crying for peace. They have been crying peace, peace, where there is no peace, and when crying for peace they have been offered a covenant of force.

Everybody knows that the covenant and the treaty are defective, but there is a certain class of people in this country who, although they know the United States ought not to ratify the terms of the treaty, especially the covenant, have had it held up to them that they can not have peace unless they take along with what they want something they do not want, to wit, the covenant, which is the contrivance of the President. So in every possible way which artifice could suggest and persistent propaganda backed by limitless capital could contrive, every possible imaginable pressure has been started and applied to American Senators, who believe that under their oath of office and their constitutional duty as Senators they ought not to ratify this treaty, to ratify it.

They have been threatened with political extinction; they have been threatened with all sorts of boycotts. Bankers and brokers, exporters and importers, every avenue of high and low finance has been marshaled to apply the strongest kind of pressure at the proper point to secure votes for something that Senators knew it was their duty to reject. The press and the pulpit have been wheeled into line largely in this process, and a persistent propaganda of misrepresentation as to what the document to be approved was has been sedulously and uninterruptedly kept up from the time the President returned to this country.

As stated by the Senator from Wisconsin [Mr. LENROOT], who preceded me, very few people in the country have had the opportunity even to see the document. Fewer have had the opportunity to read it. Still fewer have had the information given them as to what it means, and the great number of them of course have not the technical training and education to understand what it means in its implications and far-reaching conclusions if they had read it.

This is no ordinary peace treaty. The President himself calls it not a treaty but a "world constitution," and he describes it as creating, as it does, a new "world order." Here is a document of 536 pages. I wonder how many of the ladies and clergymen and parishioners and people generally who signed petitions and sent them here to us to vote for it without any sort of amendment or reservation which would involve any diplomatic negotiations on the part of other signatories to get their acceptance to them knew what they were asking us to vote for?

The reason this persistent campaign, directed by well-meaning but in my judgment mistaken people, is going to fail is because there are enough Senators who are going to do their duty as they see it under their oath of office, and resist the pressure—

that is all—enough Senators who have brains sufficient to make up their own minds how they ought to vote in the greatest crisis that has ever confronted this country and courage enough to vote as they think.

I said before that this country is entitled to peace. This covenant is not necessary to the making of a peace treaty. We would have had peace long ago if the President had not practically told the other powers that he would not participate in the making of a peace treaty unless they let him put his covenant in as a part of it. We have not held up peace. The President has held up peace. It is the insistence upon this covenant, which has nothing to do with peace, the insistence that America shall plunge itself into this world vortex and hereafter live its life in that maelstrom, that has held up peace.

There has not a day gone by since the President sent this covenant to the Senate that a joint resolution declaring peace between the United States and Germany would not have established peace. The fighters were at peace. What is the use of denying that? Hostilities ceased over a year ago. The trenches are being filled up and crops planted. The German Army has demobilized and Germany's fleet is sunk or surrendered. Our own Army is demobilized and gone home.

While, to judge from public prints, Col. House and others abroad have been using their good offices to prevent any setting up of a league of nations which would look as though it could operate without us or any technical condition of peace, delaying it all the time in the hopes of calling us into their artificially contrived scheme, the fact is that we are at peace! Whether or not the attempt will be made to perpetuate the technical condition of war which may exist because we have not ratified this covenant for a league of nations I have no means of knowing. But I do know that this treaty contains a clause which says that whenever the treaty has been ratified by three of the principal allied and associated powers and Germany, all of the powers shall send diplomatic and consular agents to Germany; and I do know that nothing prohibits our trading with all the world, except some war-time statute which can be wiped off the statute books as soon as the President can be induced to proclaim as a fact what everybody knows exists—that is, that we are at peace!

Mr. President, as the Senator from Pennsylvania [Mr. KNOX] this morning so ably stated, I have voted for these reservations because if by any chance the United States should have to join this league, I wanted the United States of America to be protected as well as it could be under the circumstances. But I would not vote for a league of nations based upon the principle that this league is based upon, with all of the reservations that the wit of man could devise, because it would not be safe for my country.

Mr. President, I would cheerfully and happily vote for any association of nations designed to promote the development of international law, to agree upon an international code to govern the relations of nations with each other, and for a great international court composed of men of recognized learning in international law, competent, educated, experienced, the elect of the nations, and for that great international court to promulgate its judgment according to a code agreed upon and acknowledged. I think nations could safely submit their cases to such an elevated tribunal.

But because I would do that, does it follow that, spurred on by the false and misplaced confidence that peace would result from this contraption, I will vote to place the destiny of my country under the control of a politically selected tribunal of nine, a foreign tribunal sitting forever upon foreign soil, without knowledge, or care for the traditions, or the hopes, or the aspirations, or the interests of my country, attended by one delegate appointed by the President of the United States and no doubt satisfactory to him—does it follow that I will agree that this country shall stake everything that it holds dear upon the judgment of a tribunal that is eight to one against us in advance?

Why, Mr. President, I would consider myself a candidate for a madhouse if I were to vote for any such thing. I think that a respectable lawyer who would advise a poor client to do any such thing as that ought to be disbarred. I—but I will not say what I was about to say. I was about to say that I do not believe any Senator here would submit his own affairs to such a tribunal, but I will not say that because it implies that a Senator would imperil his Government when he would not imperil himself or his own affairs. But I can not understand how a reasonable man, especially one who has had experience in the law and with legal tribunals and with juries, and who knows legal propositions, can for a minute propose, for instance, that we assume, as a sacred obligation that we intend to per-

form, to respect and preserve for all time the territorial integrity and political independence of every member that may join the league for all time.

I can not believe that anybody in this country seriously intends to do any such thing; and if he did, he would know it could not be done without having eternal conscription and an army ready at all times to rush to the aid of whichever boundary might be assailed in Europe, Asia, or Africa. When they get right up to it and confront it, they commence to split hairs about the difference between our legal obligation and our moral obligation. Good God! It is an obligation made in a sacred treaty; it is there. You will be called upon to perform it; you have got to come across or admit that you are a quitter. There is but one way to look the world in the eye, Mr. President, and that is to do what you agree to do, but be careful to what you agree. That of itself, which the President says is the heart of the whole covenant, as it is, is enough to damn the whole thing irretrievably forever.

The President told us at the White House in his interview—and it is all in print, verified by his own stenographer, who was present—that our delegate over there, whoever may be our delegate in the council, will have to vote as he is ordered to vote. If that is true, every other sovereignty's delegate will have to vote as his secretary of state or foreign office orders him to vote. On what sort of a basis are they to vote? Is there any statute or code they are called upon to consult to see what their powers are? There is nothing except what is in the covenant, and they vote as they are ordered.

Mr. President, this document is supposed to usher in the dawn of peace and, as is stated in the preamble, if you will look over its honeyed words, to establish justice and equity. They are to vote as they are ordered. What is the use of anybody appealing to a tribunal to give him justice if the delegate is subject to being pulled by a string by Lloyd-George from behind the screen somewhere or by M. Clemenceau from Paris or by Mr. Wilson from the White House?

But, it is said, no damage can be done, because the decision must be unanimous. Of course, this proposed organization is either impotent or it is a despotism. If the decision has got to be unanimous, the league can not operate in the greatest world crises and emergencies, when there is the most need for it; but every nation estops itself from acting in any other way. And if it is not impotent, then it is a despotism; a despotism to array all the power of the world and turn it loose upon anybody, in its own judgment, controlled by nothing except political expediency, if the delegates are to vote as they are ordered. In the name of heaven, what is the use of going through all this red tape and circumlocution solemnly to summon this tribunal to sit abroad and gather from all corners of the world all the disputes and brief them and file arguments and go through the motions, if they are to vote as they are ordered after it is all done?

There is nothing left but the general secretariat, the chief of which will draw his salary, and then there will be hordes of employees all over the world hunting for trouble and always finding it. If that is all there is to it, Lloyd-George and Clemenceau and Mr. Wilson might just as well exchange wireless messages and stay home where they are and do it themselves instead of having these high-priced gentlemen selected after all this weary work to obey their orders.

It is a perfect chimera, Mr. President. It never could have been let loose on the world at any other time than this. When half of the world is heartbroken, with frazzled nerves and disordered judgment, when they have lost their bearings and are floating around upon an uncharted sea that has only just ceased to be a sea of submarines, and everybody is in a state of nervous exhaustion, somebody appears with this thing, like a young Lochinvar out of the west, and says, "I have got it; here is a miracle; it will cure everything; henceforth God reigns and war is no more!" The people just went wild about it, hypnotized, and praying for anything that would give them peace.

It is nothing but a mind cure, Mr. President. As soon as the people recover from this pipe dream they will see good, old human nature and cause and effect continue to operate and to do business at the same old stand, and that this is nothing more nor less than an ignis fatuus, except as it may be vitally dangerous. It will not accomplish what they say it will accomplish, in my judgment, but it may accomplish a whole lot of things that they will be disavowing and trying to get out from under the responsibility of if it should ever go into operation.

Of course I am glad to know that it is not going into operation, so far as we are concerned, and I think that any time it is attempted to operate it in an emergency, when pressure is applied to it, it will blow up, just like an automobile tire when it

is pumped too hard, and those who are riding in the vehicle will have to make other arrangements. [Laughter.] Mr. President, all I want is that we shall not be in that vehicle.

I am absolutely convinced if we can survive the present condition of hysteria for a year and keep out of this thing that nobody will admit that he ever favored it. The people will be so glad that they are out of it when they see the gentlemen who are inside the cage abroad over there that the Senators who vote against the ratification of this treaty, with or without reservations, will have done something for their country that I do not believe they can duplicate in good effect if they live a thousand years.

Let me say to Senators who think that what we write here into these reservations or mild interpretative understandings is going to have any effect on this iron-and-steel juggernaut when it gets moving; that all the reservations that you can write here, after you are received and given the glad hand and escorted to the penitential stool of the league, will melt like the snow before the sun; they will not amount to anything. Our own delegate will arrive amongst his six British associates and call their attention to the little reservation that is written here. They will look at him in a compassionate way, as the gentleman on Broadway views the gentleman just arrived from up State [laughter], and they will say to him, "Why, you are in, are you not? Well, this has all been decided now, and the heart of the world will break if you do not go along. We all made contracts with each other and guaranteed each other's bonds and pooled our financial and other indebtedness, and you call this reservation to our attention. Well, everybody is committed to it in advance." So the machine is moving before our delegate will probably know what has been done. There will be some secret arrangements made—they are made now, no doubt—just as they were made when we tried to concoct this plan. We protested the loftiest fourteen principles that ever were uttered, in the last few thousand years at least, and we have been searching with a microscope to find them here. So it will be when the league begins to operate. They will say, "The understandings that we all arrived at over here have got to go through; that is all there is to it. You can go along with the great powers of the world or you will be isolated, and there are provisions in the covenant for boycotts and similar harsh treatment." If we are quitters now, because we will not come in, what do you think we would be called then if we wanted to get out? And how can we get out after we are hopelessly entangled? Do not worry about their refusal to agree to the reservations; you need not lose a minute's sleep about that. All they want to do is to get us in; they will take care of the reservations after we are in. But you will not get out unless you fight your way out.

But imagine trying to apply this scheme, Mr. President, to this country. We came 3,000 miles to get away from them, to get liberty and justice and an opportunity to govern ourselves and to establish our independence and freedom, to do as we pleased, as we agree with each other here to do. Now we are going to go back and resume our former relations, practically.

As the Senator from Pennsylvania [Mr. Knox] observed this morning the spirit of this plan to subordinate this great Republic into this international socialistic combine is absolutely in the face and teeth and eyes of our Constitution. Mr. President, I believe our Supreme Court would declare it unconstitutional if we should enter into it, and I have so believed from the beginning. I do not believe the President nor the Congress, until you have amended the Constitution, if you wish to do so, have any authority to meddle in creating a new world order of things. I do not believe we have any constitutional power to tax the American people for money to make the munitions of war, to construct armies and build ships and navies and transport our men to the uttermost ends of the earth for the purpose of preserving peace on the Euphrates River or between Siam and Bengal. In the performance of what constitutional function could this be done?

I have spent 30 years of my life listening to the wail of the Democratic Party that we have no constitutional authority to levy taxes to protect our own American laboring men, our own manufacturers, and our own products, but now they say that forever we have got solemnly to contract in a treaty to use the taxing power of Congress to raise funds to uplift men everywhere. Can that be constitutional, Mr. President? And whether constitutional or not, how long will the voter fall for it? What, in the words of our great Secretary of State, whom I am following now in my course of voting to reject this treaty—in his celebrated words to Mr. Bullitt—"what does it let us in for?" No man can tell; but I know this, that it lets you in for the first step, and the first step on the downward course is the fatal one, Mr. President. The only way to keep

out of this vista of calamity that looms like a black thundercloud on the horizon and into which we will be led step after step without our knowledge—because it will all be done in secret—the only way to avoid this endless chain of entanglements, embarrassments, and unconstitutional duties is not to take the first step. We are at the first step to-day.

Now, I know where I stand; I am on American soil, Mr. President; I am looking at the Stars and Stripes back of your chair, sir, with pride, and I am offered a bridge to cross an unknown sea and invited to take my stand under the sickly flag of international socialism; and I decline to do it! I refuse to take the first fatal step, Mr. President.

Talk about its being our duty to stabilize the world! Why, I want to stabilize my own country. Here we have strikes and threats of strikes, riots and race riots, North and South and East and West; and before I go into the stabilizing business abroad I believe in making the foundations of a republican-democratic form of government safe and stable in my own country. I do not believe that the whole world is going to revert to chaos and anarchy because of the lack of this covenant. If they want in Europe to revert to chaos and anarchy, this covenant will not stop their doing it; and although they are in dire distress, and we ought to help them in every way possible, I do not believe it is necessary to merge governments with them to do it.

Mr. President, we ought to have had peace at any time during the last year. We ought to have it now. When this treaty fails to get the constitutional two-thirds we ought to declare that peace exists. If the President wants to veto that, I would let him do it. If he insists on keeping us in a technical condition of war when Congress says we are at peace, I would let him veto it, if it is a joint resolution, and see how the people like to be kept at war, technically or otherwise, unless the President can have the form of treaty that he wants, irrespective of what his equal constitutional partner thinks about the proper kind of a treaty.

What we ought to do, Mr. President, is to pass section 5 of Senate joint resolution 76, introduced by the Senator from Pennsylvania [Mr. Knox], who, away back on the 10th day of June, saw things in their true light. He is a gentleman of experience in these matters, and his vision has not been distorted even by the strenuous times that the world has lately survived. He was trying to get you to declare peace then.

Section 5 reads as follows:

That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

France will be satisfied with that, Mr. President. All they want to know is that they will be secure. I think we ought to do something for France. We prevented France protecting herself when she was in a position to do it. When they were in the peace conference they and their greatest generals pointed out that with their great inferiority of men, as compared with their German neighbors, the Rhine must be the boundary between France and Germany. Then they would have had the river and the bridgeheads, and no sudden rush could be made against them. They care nothing for this covenant or league.

If you give them their barrier, they will manage to protect themselves; but Mr. Wilson would not agree to that. He made them back down from that position and take this thing as a substitute. Maybe they will not get either now. I do not know. I hope they will.

The President went abroad, however, and he represented to those people, of course—he was his own high commissioner—that he represented the views of America, and that he would get this thing through the Senate, after more than a third of the Senate in writing had said that they would not vote for it. There were a few changes made of very little importance. When he went back, after we had passed this resolution saying that we would not agree to it as the thing stood, and called his attention to the fact that the treaty did not say upon what notice we could get out, he put in a provision that we could get out on notice of two years; but there is no change in article 10. There is that obligation. Of course you know that would not be changed, because, if you will read the President's testimony given to the Foreign Relations Committee at the White House, you will see that that was his own child. He had originated that idea long before the German war broke out. He had originated it before the Niagara Falls conference on the settlement of the Mexican question, and negotiations had been conducted with the diplomatic officials of the various South American Republics, and it was the President's idea that that should

be a Pan American doctrine. It fell through. I wish to God it had fallen through when he took it abroad; but he made no change in that, and that has created all the trouble. That it is which, if we should agree to the treaty, would have deprived America of being the judge of its own conduct. That it is which would have transferred the management of our foreign relations from our own country to an international league. That it is which is so abhorrent to the whole American people, and that is the heart of the covenant and the backbone of the league.

As I say, Mr. President, whatever can be done to promote international good will and peace and order in the world, to administer justice and equity according to the methods of civilized tribunals, will have my most hearty support; but I never will vote for this or any other covenant or treaty which is based upon force utterly unrelated to justice or to equity. That is the inherent vice of this alliance, as it was of the ill-fated, historic Holy Alliance.

The Lodge resolution of ratification containing the 14 reservations follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan:

1. The United States so understands and construes article 1 that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

3. No mandate shall be accepted by the United States under article 22, part 1, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children, and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations, or any agency thereof, or to the decision or recommendation of any other power.

5. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan.

7. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the league of nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law, no person shall represent the United States under either said league of nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder, and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences except with the approval of the Senate of the United States.

8. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference.

9. The United States shall not be obligated to contribute to any expenses of the league of nations, or of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the league of nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

10. If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the league of nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war.

11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the league of nations, residing within the United States

or in countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States.

12. Nothing in articles 296, 297, or in any of the annexes thereto or in any other article, section, or annex of the treaty of peace with Germany shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

13. The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) unless Congress by act or joint resolution shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

14. The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Mr. BRANDEGEE. What patriotic American is opposed to these reservations?

Mr. HITCHCOCK. Mr. President, the Senator from Connecticut [Mr. BRANDEGEE], with a delightful sarcasm and cynicism, has treated us to some rather humorous remarks about this treaty and its supporters. Nothing that he said, however, was more humorous than when he declared that he would not permit his distinguished friend [Mr. LODGE], the leader of his party in the Senate, who stands as the proponent of this resolution of ratification, to lead him into the paths of "international socialism." The spectacle of the distinguished Senator from Massachusetts [Mr. LODGE] espousing international socialism, and attempting to lure the Senator from Connecticut in that way, is about as humorous a sight as I can think of.

But, Mr. President, I regret that the shafts of sarcasm and cynicism and the sneers and gibes of a political debate should be the methods used and the weapons adopted in considering the momentous matter that is now before the Senate.

Mr. President, how can Senators view this great attempt to organize the world for peace as a matter of jest and gibe and joke? How can they do so when they know that in the past the world has been organized for war, and that every nation has been organized for war, and that probably the greatest evil that has beset civilization has been war? How can they, when we are only fresh from the terrible experiences of war, look upon a great world-wide attempt to prevent it in the future as a matter for gibe and jest?

Mr. President, the President of the United States has been charged with perverting the desires of this country and misrepresenting them in his work of negotiating this treaty. What are the facts? The facts are that this country long ago was clearly committed to the establishment of a league of nations as a part of this peace settlement and as one of the objects for which we were fighting in this war.

Nearly two years ago, in his speech of January 8, 1918, before the Congress of the United States, the President outlined the purposes for which we fought and the objects we would seek in negotiating peace. One of them read as follows:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

More specifically the President mentioned some of the small nations for which we were to guarantee political independence and territorial integrity. He said, for instance:

An independent Polish State should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

That was the proclamation of the President of the United States of America before the Congress of the United States January 8, 1918. We all heard it, we all applauded it, and it was eight months after that time before any voice in the United States was raised, in either the House or the Senate, to question that purpose as the policy of the United States and one of the objects in this war. Yet Senators come here now and charge that the President lugged this matter into the peace settlement at Paris without justification.

Mr. President, that is not all. Senators here within the sound of my voice indorsed the proposition; Senators on the other side of the Chamber, before and after the delivery of that address by the President of the United States, supported the plan, and the distinguished leader of the majority in the Senate introduced the following resolution:

That in the opinion of the Senate an independent Polish State should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

That was the general position a year ago.

Yet we are now confronted by a declaration adopted by the majority repudiating that moral obligation, and when I speak of the Senator from Massachusetts having made that proposition to guarantee the independence of Poland I could speak of the Senator from Massachusetts having made it with regard to Bohemia, and with regard to the Jugo-Slav State, and I could speak of other Senators on the majority side who here in the Senate during the war made the declaration repeatedly that the United States should unite with our associated nations in this war to guarantee the existence of those little nations that we proposed, as one of the purposes of the war, to bring into existence.

Yet one of the reservations which we are asked to accept in this treaty reads as follows:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations.

Is that not repudiation? How can the Poles look at it as anything else than repudiation? How can the Bohemians look at it as anything else than repudiation? How can the Jugo-Slavs look at it as anything else than repudiation? How can the Governments associated with us in the war, who have honestly assumed the obligation in ratifying the treaty, look at our action as anything else than repudiation, and an abandonment of them in the enterprise in which we started with them?

Mr. KELLOGG. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I will yield to the Senator briefly. I have very little time.

Mr. KELLOGG. Will the Senator from Nebraska please explain the difference between the reservation he has read, which was adopted, and the one introduced by the Senator on the 15th of November, 1919?

Mr. HITCHCOCK. Mr. President, that is not a reservation that I proposed, and I did not intend to propose it at the time. I had it printed, but I have not offered it.

Mr. KELLOGG. It was proposed by the Senator and printed.

Mr. HITCHCOCK. Yes; I had it printed, but not proposed. I have had a good many things printed that I have not proposed.

Now, Mr. President, we have been charged with an attempt to kill this treaty in voting against unfriendly reservations.

Mr. OWEN. Mr. President, before the Senator leaves that point with regard to international relations, it is only fair to say that the Democratic platform of 1916 set forth a plan for a league of nations, and President Wilson went before the country on that issue. The plank in the platform embodying it is as follows:

We hold that it is the duty of the United States to use its power, not only to make itself safe at home, but also to make secure its just interests throughout the world, and, both for this end and in the interest of humanity, to assist the world in securing settled peace and justice. We believe that every people has the right to choose the sovereignty under which it shall live; that the small States of the world have a right to enjoy from other nations the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; and that the world has a right to be free from every disturbance of its peace that has its origin in aggression or disregard of the rights of peoples and nations; and we believe that the time has come when it is the duty of the United States to join with the other nations of the world in any feasible association that will effectively serve those principles, to maintain inviolate the complete security of the highway of the seas for the common and unhindered use of all nations.

Mr. HITCHCOCK. Yes, Mr. President, that is the plank, and, as I recall it, the Republican platform had a plank to a similar effect, drafted by the distinguished Senator from Ohio [Mr. HARDING].

Now, Mr. President, we are charged with defeating this treaty because we can not accept those reservations, because we claim that they nullify the treaty that they are assumed to clarify. How can we think otherwise? Who made these reservations? Did we have any voice in them, we who were expected to furnish the bulk of the votes for the ratification of the treaty? No. The Senator from Connecticut [Mr. BRANDEGEE], who has declared that he will never vote for the treaty in any form, was influential in making those reservations. So was the Senator from California [Mr. JOHNSON], and the Senator from Pennsylvania [Mr. KNOX], and others in and outside of the Foreign Relations Committee who propose never to vote for the treaty. They were the instrumental men, in connection with some 15 others, in making these reservations.

Mr. BRANDEGEE. Mr. President, I think the Senator ought to be proud to defeat the treaty. I do not make any charge against him.

Mr. HITCHCOCK. So I say, Mr. President, that we can not view as made in good faith reservations which are dictated

by Senators who do not propose to vote for the treaty, who do not believe in the treaty. I do not criticize them. I do not criticize Senators like the Senator from Connecticut [Mr. BRANDEGEE] and the Senator from Idaho [Mr. BORAH], who sincerely believe that the league is wrong, but I maintain that they are not the proper ones to draft reservations setting forth the meaning of this treaty. They should not expect us to vote for reservations they prepare.

They have not drafted them for the purpose of helping the treaty. We have had no opportunity, as yet, on this side to get together with the 30 or more Senators on the other side of the aisle who would like to see this treaty ratified in some form. You of the other side have drafted these reservations just as a caucus drafts a platform, and you say to us, as the Senator from New Jersey [Mr. EDGE] said, "Take it or leave it; that or nothing." Such a proceeding is not worthy of the Senate of the United States; it is more suited to a political convention. The proper way for the Senate of the United States to act upon the treaty is for those on both sides who want the treaty in some form to get together and see if they can compromise their differences and agree upon reservations that may be properly interpretative of the meaning of the treaty and which protect the interests of the United States.

Mr. KNOX. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I ask the Senator to be very brief.

Mr. KNOX. I will be very brief. I only want to know whether that was the spirit which inspired the Senator from Nebraska when he said that this treaty must be ratified without the dotting of an "i" or the crossing of a "t"?

Mr. HITCHCOCK. Mr. President, the Senator misquotes me; but I do not care to discuss that. I have material things that I want to say here.

Mr. President, take these reservations as they are considered. There is the reservation in reference to the right of withdrawal. We admit, we proclaim, that the treaty means that any nation can withdraw at any time on giving two years' notice, and that it, and it only, is the judge of whether or not the prescribed conditions have been met. We offered a fair interpretation. Yet we are charged with opposing this pending reservation. We do so because the draft of it is made by those who are against the treaty. It is offensive and unfair. A properly drawn reservation to that effect would receive the support of this side of the Chamber.

There is in this resolution a reservation in reference to domestic questions. We have never claimed that domestic questions should be the subject of consideration by the league of nations. We believe that the covenant of the league of nations proclaims that they are not. But we are perfectly willing to have a proper reservation incorporated in the resolution of ratification making that clear. But we do not want it put in such offensive language as to make it difficult and objectionable to the nations associated with us.

Mr. President, these reservations are not aimed at our enemy in the war. I do not know whether to say the present war or the late war. They are not aimed at our enemy. They are, however, reservations directed in a spirit of suspicion and animosity against the very nations that fought and sacrificed with us. One of these reservations gives direct and distinct offense to one of the nations, and several of them would be considered highly obnoxious by the various nations that fought with us in the war.

Take the Monroe doctrine, Mr. President. We believe that the Monroe doctrine is distinctly protected in this covenant of the league of nations, but we are willing to have the reservation making that protection more clear to those who doubt. We can not accept the phraseology of the reservation that is put up to us with "take it or leave it." We ought to have some voice if we furnish the votes for the ratification.

Take article 10, relating to the use of the Army and the Navy. When the treaty first came to the Senate it was proclaimed by opponents of the league that the league of nations could control the use of our Army and Navy. Gradually, as objectors were driven from that position, they set up another bogey, namely, that article 10 bound the United States to guarantee all the national boundaries of the world and to participate in all its wars, and so they insert the reservation of repudiation relating to article 10 that "we assume no obligation," although we have committed ourselves during this war to a moral obligation to do certain things. We are perfectly willing to have such a reservation with relation to article 10 as will make it impossible for the league of nations to have anything to do with ordering out our Army and our Navy. We know that this can only be done by an act of Congress.

We know that it ought not to be done except by the votes of the representatives of the people of the United States.

So with regard to mandates. We believe, and the President has repeatedly stated, that a mandate can not be forced upon us. We can not be compelled to take Turkey or Armenia. We can not be compelled to take any mandatory. Any mandate offered to any country is a matter for its acceptance or its rejection, and undoubtedly in our country it can only be accepted by an act of Congress approved by the President of the United States. It is a solemn matter.

Another reservation relates to the selection of the American representatives in the league or on commissions. Everybody supposes, and I think the President has assumed, that any American representative would have to be appointed by the President and confirmed by the Senate, and there is no need for proclaiming to the world in this treaty that the Senate has an antagonistic attitude toward the President of the United States. It can be stated, of course, if necessary, that the representatives of the United States shall be appointed by the President and confirmed by the Senate, and that their duties shall be as provided in an act of Congress. There is no difficulty about that. There is no need to affront the President as is proposed.

So in the matter of the six votes of the British Empire. Mr. President, every possible prejudice in this country has been appealed to by the enemies of this treaty. They have appealed to religious prejudice, they have twisted the British lion's tail, they have appealed to race prejudices by saying that the colored nations of the world were going to dominate this league; they have appealed first to one prejudice and then to another to belittle a great issue.

It is a fact that the British Empire, with its self-governing dominions and colonies, will have 6 votes in the assembly of the league of nations. But nobody supposes, who is a friend of the treaty, that those 6 votes are to be cast when the British Empire or any of its dominions is a party in interest. The President has repeatedly said that they would be disqualified to vote in such cases. We are perfectly willing to have it specifically stated that that is the meaning of the league. I have not any idea that Great Britain would object to that. But the idea of attempting to give 6 votes to the United States, or the idea of trying to disqualify a great nation like Canada, just to the north of us, which suffered and sacrificed in the war more than we did, from casting a vote in the assembly is, to my mind, an absolute outrage. These self-governing, independent colonies of the British Empire ought to vote in the assembly, and it is they who insist on voting. The request did not come from London; it was Canada that insisted, and Australia that insisted, and they did it because they wanted to be independent of the British Empire, because they have interests of their own that they wanted to assert, and they are not willing to trust the British Empire.

Mr. OWEN. And interests against each other, too.

Mr. HITCHCOCK. Yes; and interests against each other. So I say, Mr. President, a great bugaboo has been made because of the fact that these self-governing colonies had 6 votes altogether. Is not Canada entitled to a vote? Is not Canada practically a republic like our own? Are not her objects and her civilization similar to ours, and her interests similar to our own? Why should we, an Anglo-Saxon race, object to Canada voting in the assembly?

Yet we are perfectly willing, and I believe it would be entirely justified, to specify in a reservation that when one of the self-governing colonies of or the Empire itself is interested in a dispute with us, the disqualification should apply to them all.

If any nation wanted to complain against another for having a great influence in the assembly it is the United States that might be complained against. The United States is going to be a great and potent power not only in the council but in the assembly of the league of nations.

Look at what happened when we went into this war. Do Senators forget that there is now and has been in existence for a number of years a great Pan American Union, twenty-odd Republics united under the leadership of the United States? Do Senators forget that the influence of the United States with those Republics in the Western Hemisphere is great? I will not say it is commanding, but it is great. Do Senators remember that when the United States declared war that South and Central American Republics, which had remained neutral and refused to declare war against Germany practically at our request, then declared war against Germany, following our example and following our lead? Do Senators remember that besides seven or eight American Republics which declared war in response to our request there were seven or eight others that dissolved diplomatic relations with Germany and that five others of those coun-

tries of South America in their congresses, in one house or the other, or by the executive officer himself, approved and commended the action of the United States and assumed toward the United States an attitude of benevolent neutrality?

Do Senators look upon those things and doubt that the United States has a greater influence in the assembly than any other nation in the world? I can not see how they can view the situation without saying that the most potent force in the assembly of the league of nations will be the United States, in association with the Republics of Central and South America, which have always looked to the United States as a friend and a protector.

Mr. President, I have not much more to say. I have said what I have, because I feel deeply that the time has come when in the Senate political convention methods should cease, caucus methods should be abandoned, and the men in the Senate who want a league of nations in some form, who want to ratify the peace treaty in some form, should get together and do it. They should give and take. They should compromise their views, and if possible bring about this great achievement which the world must meet. Is the world to be organized for peace or war?

Suppose we do not make the effort to organize it for peace. Suppose the league of nations fails, what will happen to the world? Inevitably the world will go back to its old state, and war will be on the program again because none of these critics of the league of nations have proposed anything. They have not had a kind word to say for the league of nations. They have not had a kind word to say for the great world effort that has been made to organize for peace and to save the lives of men in the future. They have not proposed anything else. They can not propose anything else. They know the inevitable result will be that every nation will proceed to prepare for war again unless the league of nations is adopted.

Mr. President, I believe that the new hour has come. I believe the time is past when it is impossible for the world to organize for peace. In the fall of the Russian Empire and the German Empire and the Austro-Hungarian Empire and in the development of democracies everywhere modeled somewhat after the United States the whole world has become democratic, and it will remain democratic and government will be stabilized if a method can be found by which they can get together, as they can in the league of nations, by agreement and the promise to abstain from the wars of conquest and not even to have wars to settle disputes, but to have those disputes settled by arbitration.

Yes; I believe the new hour has come, and I urge Senators upon the other side of the aisle who believe in the league of nations, as I know many of them do, to do something to make it possible for the two sides of the Senate to get together in a final settlement of ratification of the treaty by some feasible means. [Manifestations of applause in the galleries.]

The VICE PRESIDENT. Are the doorkeepers going to obey the orders of the Senate or are they not? It does not make any difference whether the disturbance was in the Senators' gallery or any other gallery. The occupants of the Senators' gallery have no higher right than the occupants of the other galleries. The rules of the Senate must be obeyed.

Mr. KELLOGG. Mr. President, the passionate appeal of the Senator from Nebraska, asking Senators on this side of the Chamber to compromise and agree on reservations comes a little late and with bad grace. I want to ask him if that has been his attitude for three months when he stood here and announced time after time that the treaty would be ratified without any reservations whatever; if that has been his attitude when, in the public press and in his speeches, he has stated that the treaty must be accepted as it is and the Senate abdicate its right to make reservations or pass upon this great document?

These reservations have not been sprung upon the Senate, as he intimates. Senators have not been notified on the other side of the Chamber that they must take these reservations as they are or not at all. These reservations have not been drawn by the enemies of the treaty. They have been drawn by its friends, who want to save it and who want to preserve a real effective league of nations and a treaty of peace with Germany.

The Senator from Nebraska has stood there like a wall to prevent any compromise, to prevent any agreement upon reasonable reservations which would accomplish what he admits now should be accomplished.

I am tired of this sort of talk. He knows as well as I do that the Senators on this side of the Chamber who desire an effective treaty have tried to obtain a compromise and have endeavored to produce reservations that would leave the treaty an effective document and yet protect the honor and the rights of this country.

I do not propose to vote for a treaty that does not protect our honor, that does not protect our rights, and does not protect our form of government and our institutions from foreign intermeddling. I am otherwise willing to go as far as anyone in establishing an effective league of nations and a treaty of peace.

I wish to refer to some of these reservations. They have been printed from time to time. They have been upon the desks of Senators. They have been discussed in the Senate for weeks and weeks. Only on the 15th day of November the Senator himself proposed a reservation, and if he can point out any difference between the reservation adopted by the Senate and the one which he proposed I should like to have him do it. When asked if he would not propose a different reservation he admitted that he proposed a good many things and has them printed, but does the Senator mean that as the leader of his party he introduces and proposes in the Senate a reservation to article 10 of the treaty as a joke, or did he mean it when he proposed it?

Now, let us see what it is. Its first words are—

The United States does not assume any obligation.

The reservation adopted by the Senate provides that—

The United States assumes no obligation.

Will the Senator point out the difference? There is not another word in the whole reservation changed, except that the word "unless" is changed to "until." Let me read the whole reservation proposed by the Senator from Nebraska:

The United States does not assume an obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, until in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

The following is the reservation adopted by the Senate:

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

If the Senator proposed it he must have been willing to vote for it. For what other purpose could it have been offered? I can not believe that the Senator proposed it in order to change two or three words, to make it different from the reservation which the President, while in Utah, announced that he would not accept. But if that is the reason, I am perfectly willing the Senator should not abandon it.

As a matter of fact, the salient reservations in this resolution do not differ in legal effect from many of those proposed by the Senator from Nebraska, which have been printed and laid on the desks of Senators.

Mr. President, this reservation was not drawn by the enemies of the treaty. It was drawn by the friends of the treaty who did not wish, in the face of our Constitution, to agree to make war in defense of the territorial integrity of every country on the face of the earth without a vote of the Congress. Would the Senator have this country go to the support of Japan to hold Shantung or Korea? Does the Senator think that we should enter into such a treaty in the face of our Constitution? I say no.

The people of the United States are generous, as was shown in this war when they sent their sons by the millions to foreign soil, sanctifying it with the sacrificial blood of their precious boys, and when they poured out their millions that German oppression and crime might be stopped. But the people of this country desire to protect their constitutional rights, and they say to the world, "Rely upon the good faith and the honor of the American people. We are willing to join a league of nations to insure world peace, but we are not willing to give up the control of our domestic questions, we are not willing to pledge this Nation to go to war and to send its sons abroad without the judgment of the American people which must be expressed through their Congress."

With reference to the reservations as to mandates, the Senator says that no one but Congress can accept a mandate, and that is what we say in the reservation. What objection can there be to that?

The Senator says that he wishes to except from the league of nations all domestic questions; and yet the league of nations submits what is a domestic question to the council, and if the council decides it is not a domestic question, they take jurisdiction of it.

Reservation No. 4, which has been adopted by the Senate, provides that:

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations, or any agency thereof, or to the decision or recommendation of any other power.

Situated as we are in the Western Hemisphere, with different questions involved, with different commercial conditions, is this country prepared to say that it will submit any of its domestic or political questions to the arbitration of European nations, with different aspirations, different peoples, different languages, and different governments and traditions? No self-respecting nation could possibly submit to any league of nations or to the council of any league of nations or to any arbitration tribunal any such questions as those. All this reservation does is to make it clear that the American people propose to settle their own questions, to work out their own destiny in their own way. Is there anything offensive in it?

This Republic is the hope of the world. Shall we surrender our aspirations and our Government to the dictation of foreign nations? Such a surrender is not necessary in order to constitute a league of nations to preserve peace. Why does not the Senator accept the reservation? I presume because he did not himself propose it.

The fifth reservation provides:

The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine.

And so forth.

That is a doctrine which has stood for 100 years as an arm of strength to this Nation against foreign aggression upon the Western Hemisphere. There is not a Senator upon this floor who would surrender it; there is not an intelligent, honest, patriotic American in the United States who would do so. Then, why not say so? Of course, foreign countries are not reconciled to the Monroe doctrine; they have never been friendly toward it, and, of course, if they can get us to do so, they would have us submit that, together with all other questions, to the league of nations. But we do not propose to do so. Why not be honest about it and say so? The feelings of foreign nations are not so easily injured. If there is anything in that reservation which shocks their conscience and feelings, I fail to see it.

Mr. McCORMICK. May I interrupt the Senator from Minnesota a moment, to read a line from Lord Robert Cecil on the Monroe doctrine?

Mr. KELLOGG. Yes; I have no objection.

Mr. McCORMICK. He says:

The amendment—

That is, to the covenant—

may be described as vague in its essence.

Mr. KELLOGG. Mr. President, reservation No. 7, which no Senator upon the other side has criticized, was not drawn by the enemies of the treaty, but by its friends. It provides for the appointment of our representatives and for the assignment of their duties. That is clearly the duty of the Congress. Does the Senate of the United States wish the President to appoint these important officers as mere executive agents without confirmation by the Senate or without legal authority invested in them? I repeat, I have heard no objection to this reservation.

Again, reservation No. 13 was drawn by the friends of the treaty. I do not know of anyone who has fought more persistently than has the Senator from North Dakota [Mr. McCUMBER] for this treaty; but he is not willing, I am not willing, and I do not believe the American people are willing to submit the laboring men of this country to the dictation or the meddlesomeness of any commission sitting in Geneva or elsewhere. American labor is dignified; American labor is well paid; American labor lives well and should live well. Is it the object of this world conference of socialists and near socialists to disturb our labor relations and to reduce our labor to the level of European labor? Should it not rather be our object to keep it where it is? For upon the dignity of labor and upon the intelligence of the citizenship of the great mass of the laboring people of this country depends the hope of the Nation. Labor itself does not want any such articles.

Reservation No. 14 was drawn by the Senator from Wisconsin [Mr. LENROOT]. Has any Senator risen upon this floor to

justify giving a foreign country, with half our English population, six times the voting strength of the United States? No Senator has done so. The friends of the treaty are willing to provide by reservation a clause which will protect us and yet which shall not amend and destroy the treaty.

Mr. President, I have imperfectly discussed some of the reservations which the Senator indicates were drawn and have been offered with a statement that they must be taken as they are. I say they were drawn by the friends of the treaty, that they have been under discussion for weeks, and that the attitude of the Senator has been, "Take the treaty as it is or not at all."

Mr. President, I am sure there is no one within the sound of my voice more anxious than I that this war should end, that this treaty should be ratified, and that a league of nations should come into operation. That has been my earnest desire, and I have labored in every way possible in my humble way to bring about this consummation; but, Mr. President, I wish to accomplish it with honor to this country, safeguarding its institutions, for my first duty is to the American people, the Constitution, the laws, and the institutions of this land.

Mr. BORAH. Mr. President, I am not misled by the debate across the aisle into the view that this treaty will not be ratified. I entertain little doubt that sooner or later—and entirely too soon—the treaty will be ratified with the league of nations in it, and I am of the opinion with the reservations in it as they are now written. There may possibly be some change in verbiage in order that there may be a common sharing of parentage, but our friends across the aisle will likely accept the league of nations with the reservations in substance as now written. I think, therefore, this moment is just as appropriate as any other for me to express my final views with reference to the treaty and the league of nations. It is perhaps the last opportunity I shall have to state, as briefly as I may, my reasons for opposing the treaty and the league.

Mr. President, after Mr. Lincoln had been elected President, before he assumed the duties of the office and at a time when all indications were to the effect that we would soon be in the midst of civil strife, a friend from the city of Washington wrote him for instructions. Mr. Lincoln wrote back in a single line, "Entertain no compromise; have none of it." That states the position I occupy at this time and which I have, in an humble way, occupied from the first contention in regard to this proposal.

My objections to the league have not been met by the reservations. I desire to state wherein my objections have not been met. Let us see what our attitude will be toward Europe and what our position will be with reference to the other nations of the world after we shall have entered the league with the present reservations written therein. With all due respect to those who think that they have accomplished a different thing and challenging no man's intellectual integrity or patriotism, I do not believe the reservations have met the fundamental propositions which are involved in this contest.

When the league shall have been formed, we shall be a member of what is known as the council of the league. Our accredited representative will sit in judgment with the accredited representatives of the other members of the league to pass upon the concerns not only of our country but of all Europe and all Asia and the entire world. Our accredited representatives will be members of the assembly. They will sit there to represent the judgment of these 110,000,000 people—more than—just as we are accredited here to represent our constituencies. We can not send our representatives to sit in council with the representatives of the other great nations of the world with mental reservations as to what we shall do in case their judgment shall not be satisfactory to us. If we go to the council or to the assembly with any other purpose than that of complying in good faith and in absolute integrity with all upon which the council or the assembly may pass, we shall soon return to our country with our self-respect forfeited and the public opinion of the world condemnatory.

Why need you gentlemen across the aisle worry about a reservation here or there when we are sitting in the council and in the assembly and bound by every obligation in morals, which the President said was supreme above that of law, to comply with the judgment which our representative and the other representatives finally form? Shall we go there, Mr. President, to sit in judgment, and in case that judgment works for peace join with our allies, but in case it works for war withdraw our cooperation? How long would we stand as we now stand, a great Republic commanding the respect and holding the leadership of the world, if we should adopt any such course?

So, sir, we not only sit in the council and in the assembly with our accredited representatives, but bear in mind that

article 11 is untouched by any reservation which has been offered here; and with article 11 untouched and its integrity complete, article 10 is perfectly superfluous. If any war or threat of war shall be a matter of consideration for the league, and the league shall take such action as it deems wise to deal with it, what is the necessity of article 10? Will not external aggression be regarded as a war or threat of war? If the political independence of some nation in Europe is assailed will it be regarded as a war or threat of war? Is there anything in article 10 that is not completely covered by article 11?

It remains complete, and with our representatives sitting in the council and the assembly, and with article 11 complete, and with the assembly and the council having jurisdiction of all matters touching the peace of the world, what more do you need to bind the United States if you assume that the United States is a Nation of honor?

We have said, Mr. President, that we would not send our troops abroad without the consent of Congress. Pass by now for a moment the legal proposition. If we create executive functions, the Executive will perform those functions without the authority of Congress. Pass that question by and go to the other question. Our members of the council are there. Our members of the assembly are there. Article 11 is complete, and it authorizes the league, a member of which is our representative, to deal with matters of peace and war, and the league through its council and its assembly deals with the matter, and our accredited representative joins with the others in deciding upon a certain course, which involves a question of sending troops. What will the Congress of the United States do? What right will it have left, except the bare technical right to refuse, which as a moral proposition it will not dare to exercise? Have we not been told day by day for the last nine months that the Senate of the United States, a coordinate part of the treaty-making power, should accept this league as it was written because the wise men sitting at Versailles had so written it, and has not every possible influence and every source of power in public opinion been organized and directed against the Senate to compel it to do that thing? How much stronger will be the moral compulsion upon the Congress of the United States when we ourselves have indorsed the proposition of sending our accredited representatives there to vote for us?

Ah, but you say that there must be unanimous consent, and that there is vast protection in unanimous consent.

I do not wish to speak disparagingly; but has not every division and dismemberment of every nation which has suffered dismemberment taken place by unanimous consent for the last 300 years? Did not Prussia and Austria and Russia by unanimous consent divide Poland? Did not the United States and Great Britain and Japan and Italy and France divide China and give Shantung to Japan? Was that not a unanimous decision? Close the doors upon the diplomats of Europe, let them sit in secret, give them the material to trade on, and there always will be unanimous consent.

How did Japan get unanimous consent? I want to say here, in my parting words upon this proposition, that I have no doubt the outrage upon China was quite as distasteful to the President of the United States as it is to me. But Japan said: "I will not sign your treaty unless you turn over to me Shantung, to be turned back at my discretion," and you know now Japan's discretion operates with reference to such things. And so, when we are in the league, and our accredited representatives are sitting at Geneva, and a question of great moment arises, Japan, or Russia, or Germany, or Great Britain will say, "Unless this matter is adjusted in this way I will depart from your league." It is the same thing, operating in the same way, only under a different date and under a little different circumstances.

Mr. President, if you have enough territory, if you have enough material, if you have enough subject peoples to trade upon and divide, there will be no difficulty about unanimous consent.

Do our Democratic friends ever expect any man to sit as a member of the council or as a member of the assembly equal in intellectual power and in standing before the world with that of our representative at Versailles? Do you expect a man to sit in the council who will have made more pledges, and I shall assume made them in sincerity, for self-determination and for the rights of small peoples, than had been made by our accredited representative? And yet, what became of it? The unanimous consent was obtained nevertheless.

But take another view of it. We are sending to the council one man. That one man represents 110,000,000 people.

Here, sitting in the Senate, we have two from every State in the Union, and over in the other House we have Representatives in accordance with population, and the responsibility is

spread out in accordance with our obligations to our constituency. But now we are transferring to one man the stupendous power of representing the sentiment and convictions of 110,000,000 people in tremendous questions which may involve the peace or may involve the war of the world.

However you view the question of unanimous consent, it does not protect us.

What is the result of all this? We are in the midst of all of the affairs of Europe. We have entangled ourselves with all European concerns. We have joined in alliance with all the European nations which have thus far joined the league, and all nations which may be admitted to the league. We are sitting there dabbling in their affairs and intermeddling in their concerns. In other words, Mr. President—and this comes to the question which is fundamental with me—we have forfeited and surrendered, once and for all, the great policy of "no entangling alliances" upon which the strength of this Republic has been founded for 150 years.

My friends of reservations, tell me where is the reservation in these articles which protects us against entangling alliances with Europe?

Those who are differing over reservations, tell me what one of them protects the doctrine laid down by the Father of his Country. That fundamental proposition is surrendered, and we are a part of the European turmoils and conflicts from the time we enter this league.

Let us not underestimate that. There has never been an hour since the Venezuelan difficulty that there has not been operating in this country, fed by domestic and foreign sources, a powerful propaganda for the destruction of the doctrine of no entangling alliances.

Lloyd-George is reported to have said just a few days before the conference met at Versailles that Great Britain could give up much, and would be willing to sacrifice much, to have America withdraw from that policy. That was one of the great objects of the entire conference at Versailles, so far as the foreign representatives were concerned. Clemenceau and Lloyd-George and others like them were willing to make any reasonable sacrifice which would draw America away from her isolation and into the internal affairs and concerns of Europe. This league of nations, with or without reservations, whatever else it does or does not do, does surrender and sacrifice that policy; and once having surrendered and become a part of the European concerns, where, my friends, are you going to stop?

You have put in here a reservation upon the Monroe doctrine. I think that, in so far as language could protect the Monroe doctrine, it has been protected. But as a practical proposition, as a working proposition, tell me candidly, as men familiar with the history of your country and of other countries, do you think that you can intermeddle in European in European affairs; and, secondly, never to permit Europe to

When Mr. Monroe wrote to Jefferson, he asked him his view upon the Monroe doctrine, and Mr. Jefferson said, in substance, our first and primary obligation should be never to interfere in European affairs; and, secondly, never to permit Europe to interfere in our affairs.

He understood, as every wise and practical man understands, that if we intermeddle in her affairs, if we help to adjust her conditions, inevitably and remorselessly Europe then will be carried into our affairs, in spite of anything you can write upon paper.

We can not protect the Monroe doctrine unless we protect the basic principle upon which it rests, and that is the Washington policy. I do not care how earnestly you may endeavor to do so, as a practical working proposition your league will come to the United States. Will you permit me to digress long enough to read a paragraph from a great French editor upon this particular phase of the matter, Mr. Stephen Lausanne, editor of *Le Matin*, of Paris?

When the executive council of the league of nations fixes "the reasonable limits of the armament of Peru"; when it shall demand information concerning the naval program of Brazil; when it shall tell Argentina what shall be the measure of the "contribution to the armed forces to protect the signatures of the social covenant"; when it shall demand the immediate registration of the treaty between the United States and Canada at the seat of the league, it will control, whether it wills or no, the destinies of America. And when the American States shall be obliged to take a hand in every war or menace of war in Europe (art. 11), they will necessarily fall afoul of the fundamental principle laid down by Monroe, which was that Americans should never take part in a European war.

If the league takes in the world, then Europe must mix in the affairs of America; if only Europe is included, then America will violate of necessity her own doctrine by intermixing in the affairs of Europe.

If the league includes the affairs of the world, does it not include the affairs of all the world? Is there any limitation of the jurisdiction of the council or of the assembly upon the question

of peace or war? Does it not have now, under the reservations, the same as it had before, the power to deal with all matters of peace or war throughout the entire world? How shall you keep from meddling in the affairs of Europe or keep Europe from meddling in the affairs of America?

Mr. President, there is another and even a more commanding reason why I shall record my vote against this treaty. It imperils what I conceive to be the underlying, the very first principles of this Republic. It is in conflict with the right of our people to govern themselves free from all restraint, legal or moral, of foreign powers. It challenges every tenet of my political faith. If this faith were one of my own contriving, if I stood here to assert principles of government of my own evolving, I might well be charged with intolerable presumption, for we all recognize the ability of those who urge a different course. But I offer in justification of my course nothing of my own save the deep and abiding reverence I have for those whose policies I humbly but most ardently support. I claim no merit save fidelity to American principles and devotion to American ideals as they were wrought out from time to time by those who built the Republic and as they have been extended and maintained throughout these years. In opposing the treaty I do nothing more than decline to renounce and tear out of my life the sacred traditions which throughout 50 years have been translated into my whole intellectual and moral being. I will not, I can not, give up my belief that America must, not alone for the happiness of her own people, but for the moral guidance and greater contentment of the world, be permitted to live her own life. Next to the tie which binds a man to his God is the tie which binds a man to his country, and all schemes, all plans, however ambitious and fascinating they seem in their proposal, but which would embarrass or entangle and impede or shackle her sovereign will, which would compromise her freedom of action, I unhesitatingly put behind me.

Sir, since the debate opened months ago those of us who have stood against this proposition have been taunted many times with being little Americans. Leave us the word American, keep that in your presumptuous impeachment, and no taunt can disturb us, no gibe discompose our purposes. Call us little Americans if you will, but leave us the consolation and the pride which the term American, however modified, still imparts. Take away that term and though you should coin in telling phrase your highest eulogy we would hurl it back as common slander. We have been ridiculed because, forsooth, of our limited vision. Possibly that charge may be true. Who is there here that can read the future? Time, and time alone, unerring and remorseless, will give us each our proper place in the affections of our countrymen and in the esteem and commendation of those who are to come after us. We neither fear nor court her favor. But if our vision has been circumscribed it has at all times within its compass been clear and steady. We have sought nothing save the tranquillity of our own people and the honor and independence of our own Republic. No foreign flattery, no possible world glory and power have disturbed our poise or come between us and our devotion to the traditions which have made us a people or the policies which have made us a Nation, unselfish and commanding. If we have erred we have erred out of too much love for those things which from childhood you and we together have been taught to revere—yes, to defend even at the cost of limb and life. If we have erred it is because we have placed too high an estimate upon the wisdom of Washington and Jefferson, too exalted an opinion upon the patriotism of the sainted Lincoln. And blame us not therefore if we have, in our limited vision, seemed sometimes bitter and at all times uncompromising, for the things for which we have spoken, feebly spoken, the things which we have endeavored to defend, have been the things for which your fathers and our fathers were willing to die.

Senators, even in an hour so big with expectancy we should not close our eyes to the fact that democracy is something more, vastly more, than a mere form of government by which society is restrained into free and orderly life. It is a moral entity, a spiritual force, as well. And these are things which live only and alone in the atmosphere of liberty. The foundation upon which democracy rests is faith in the moral instincts of the people. Its ballot boxes, the franchise, its laws, and constitutions are but the outward manifestations of the deeper and more essential thing—a continuing trust in the moral purposes of the average man and woman. When this is lost or forfeited your outward forms, however democratic in terms, are a mockery. Force may find expression through institutions democratic in structure equal with the simple and more direct processes of a single supreme ruler. These distinguishing virtues of a real republic you can not commingle with the discordant and destructive forces of the Old World and still preserve them.

You can not yoke a government whose fundamental maxim is that of liberty to a government whose first law is that of force and hope to preserve the former. These things are in eternal war, and one must ultimately destroy the other. You may still keep for a time the outward form, you may still delude yourself, as others have done in the past, with appearances and symbols, but when you shall have committed this Republic to a scheme of world control based upon force, upon the combined military force of the four great nations of the world, you will have soon destroyed the atmosphere of freedom, of confidence in the self-governing capacity of the masses, in which alone a democracy may thrive. We may become one of the four dictators of the world, but we shall no longer be master of our own spirit. And what shall it profit us as a Nation if we shall go forth to the dominion of the earth and share with others the glory of world control and lose that fine sense of confidence in the people, the soul of democracy?

Look upon the scene as it is now presented. Behold the task we are to assume, and then contemplate the method by which we are to deal with this task. Is the method such as to address itself to a Government "conceived in liberty and dedicated to the proposition that all men are created equal"? When this league, this combination, is formed four great powers representing the dominant people will rule one-half of the inhabitants of the globe as subject peoples—rule by force, and we shall be a party to the rule of force. There is no other way by which you can keep people in subjection. You must either give them independence, recognize their rights as nations to live their own life and to set up their own form of government, or you must deny them these things by force. That is the scheme, the method proposed by the league. It proposes no other. We will in time become inured to its inhuman precepts and its soulless methods, strange as this doctrine now seems to a free people. If we stay with our contract, we will come in time to declare with our associates that force—force, the creed of the Prussian military oligarchy—is after all the true foundation upon which must rest all stable governments. Korea, despoiled and bleeding at every pore; India, sweltering in ignorance and burdened with inhuman taxes after more than a hundred years of dominant rule; Egypt, trapped and robbed of her birthright; Ireland, with 700 years of sacrifice for independence—this is the task, this is the atmosphere, and this is the creed in and under which we are to keep alive our belief in the moral purposes and self-governing capacity of the people, a belief without which the Republic must disintegrate and die. The maxim of liberty will soon give way to the rule of blood and iron. We have been pleading here for our Constitution. Conform this league, it has been said, to the technical terms of our charter, and all will be well. But I declare to you that we must go further and conform to those sentiments and passions for justice and freedom which are essential to the existence of democracy. You must respect not territorial boundaries, not territorial integrity, but you must respect and preserve the sentiments and passions for justice and for freedom which God in His infinite wisdom has planted so deep in the human heart that no form of tyranny however brutal, no persecution however prolonged, can wholly uproot and kill. Respect nationality, respect justice, respect freedom, and you may have some hope of peace, but not so if you make your standard the regard of tyrants and despots, the protection of real estate regardless of how it is obtained.

Sir, we are told that this treaty means peace. Even so, I would not pay the price. Would you purchase peace at the cost of any part of our independence? We could have had peace in 1776—the price was high, but we could have had it. James Otis, Sam Adams, Hancock, and Warren were surrounded by those who urged peace and British rule. All through that long and trying struggle, particularly when the clouds of adversity lowered upon the cause, there was a cry of peace—let us have peace. We could have had peace in 1860; Lincoln was counseled by men of great influence and accredited wisdom to let our brothers—and, thank Heaven, they are brothers—depart in peace. But the tender, loving Lincoln, bending under the fearful weight of impending civil war, an apostle of peace, refused to pay the price, and a reunited country will praise his name forevermore—bless it because he refused peace at the price of national honor and national integrity. Peace upon any other basis than national independence, peace purchased at the cost of any part of our national integrity, is fit only for slaves, and even when purchased at such a price it is a delusion, for it can not last.

But your treaty does not mean peace—far, very far, from it. If we are to judge the future by the past it means war. Is there any guaranty of peace other than the guaranty which comes of the control of the war-making power by the people? Yet what

great rule of democracy does the treaty leave unassailed? The people in whose keeping alone you can safely lodge the power of peace or war nowhere, at no time and in no place, have any voice in this scheme for world peace. Autocracy which has bathed the world in blood for centuries reigns supreme. Democracy is everywhere excluded. This, you say, means peace.

Can you hope for peace when love of country is disregarded in your scheme, when the spirit of nationality is rejected, even scoffed at? Yet what law of that moving and mysterious force does your treaty not deny? With a ruthlessness unparalleled your treaty in a dozen instances runs counter to the divine law of nationality. Peoples who speak the same language, kneel at the same ancestral tombs, moved by the same traditions, animated by a common hope, are torn asunder, broken in pieces, divided, and parceled out to antagonistic nations. And this you call justice. This, you cry, means peace. Peoples who have dreamed of independence, struggled and been patient, sacrificed and been hopeful, peoples who were told that through this peace conference they should realize the aspirations of centuries, have again had their hopes dashed to earth. One of the most striking and commanding figures in this war, soldier and statesman, turned away from the peace table at Versailles declaring to the world, "The promise of the new life, the victory of the great humane ideals for which the peoples have shed their blood and their treasure without stint, the fulfillment of their aspirations toward a new international order and a fairer and better world, are not written into the treaty." No; your treaty means injustice. It means slavery. It means war. And to all this you ask this Republic to become a party. You ask it to abandon the creed under which it has grown to power and accept the creed of autocracy, the creed of repression and force.

Mr. President, I turn from this scheme based upon force to another scheme, planned 143 years ago in old Independence Hall, in the city of Philadelphia, based upon liberty. I like it better. I have become so accustomed to believe in it that it is difficult for me to reject it out of hand. I have difficulty in subscribing to the new creed of oppression, the creed of dominant and subject peoples. I feel a reluctance to give up the belief that all men are created equal—the external principle in government that all governments derive their just powers from the consent of the governed. I can not get my consent to exchange the doctrine of George Washington for the doctrine of Frederick the Great translated into mendacious phrases of peace. I go back to that serene and masterful soul who pointed the way to power and glory for the new and then weak Republic, and whose teachings and admonitions even in our majesty and dominance we dare not disregard.

I know well the answer to my contention. It has been piped about of late from a thousand sources—venal sources, disloyal sources, sinister sources—that Washington's wisdom was of his day only and that his teachings are out of fashion—things long since sent to the scrap heap of history—that while he was great in character and noble in soul he was untrained in the arts of statecraft and unlearned in the science of government. The puny demagogue, the barren editor, the sterile professor now vie with each other in apologizing for the temporary and commonplace expedients which the Father of his Country felt constrained to adopt in building a republic!

What is the test of statesmanship? Is it the formation of theories, the utterance of abstract and incontrovertible truths, or is it the capacity and the power to give to a people that concrete thing called liberty, that vital and indispensable thing in human happiness called free institutions, and to establish over all and above all the blessed and eternal reign of order and law? If this be the test, where shall we find another whose name is entitled to be written beside the name of Washington? His judgment and poise in the hour of turmoil and peril, his courage and vision in times of adversity, his firm grasp of fundamental principles, his almost inspired power to penetrate the future and read there the result, the effect of policies, have never been excelled, if equaled, by any of the world's commonwealth builders. Peter the Great, William the Silent, and Cromwell the Protector, these and these alone perhaps are to be associated with his name as the builders of States and the founders of governments. But in exaltation of moral purpose, in the unselfish character of his work, in the durability of his policies, in the permanency of the institutions which he more than anyone else called into effect, his service to mankind stands out separate and apart in a class by itself. The works of these other great builders, where are they now? But the work of Washington is still the most potent influence for the advancement of civilization and the freedom of the race.

Reflect for a moment over his achievements. He led the Revolutionary Army to victory. He was the very first to suggest a union instead of a confederacy. He presided over and counseled with great wisdom the convention which framed the Constitution. He guided the Government through its first perilous years. He gave dignity and stability and honor to that which was looked upon by the world as a passing experiment, and finally, my friends, as his own peculiar and particular contribution to the happiness of his countrymen and to the cause of the Republic, he gave us his great foreign policy under which we have lived and prospered and strengthened for nearly a century and a half. This policy is the most sublime confirmation of his genius as a statesman. It was then, and it now is, an indispensable part of our whole scheme of government. It is to-day a vital, indispensable element in our entire plan, purpose, and mission as a nation. To abandon it is nothing less than a betrayal of the American people. I say betrayal deliberately, in view of the suffering and the sacrifice which will follow in the wake of such a course.

But under the stress and strain of these extraordinary days, when strong men are being swept down by the onrushing forces of disorder and change, when the most sacred things of life, the most cherished hopes of a Christian world seem to yield to the mad forces of discontent—just such days as Washington passed through when the mobs of Paris, wild with new liberty and drunk with power, challenged the established institutions of all the world, but his steadfast soul was unshaken—under these conditions come again we are about to abandon this policy so essential to our happiness and tranquillity as a people and our stability as a Government. No leader with his commanding influence and his unquailing courage stands forth to stem the current. But what no leader can or will do experience, bitter experience, and the people of this country in whose keeping, after all, thank God, is the Republic, will ultimately do. If we abandon his leadership and teachings, we will go back. We will return to this policy. Americanism shall not, can not, die. We may go back in sackcloth and ashes, but we will return to the faith of the fathers. America will live her own life. The independence of this Republic will have its defenders. Thousands have suffered and died for it, and their sons and daughters are not of the breed who will be betrayed into the hands of foreigners. The noble face of the Father of his Country, so familiar to every boy and girl, looking out from the walls of the Capitol in stern reproach, will call those who come here for public service to a reckoning. The people of our beloved country will finally speak, and we will return to the policy which we now abandon. America disenthralled and free in spite of all these things will continue her mission in the cause of peace, of freedom, and of civilization.

Mr. OWEN. Mr. President, I have listened with great respect, with great interest, with great pleasure to the beautiful oratory of the Senator from Idaho [Mr. BORAH]. I shall not take the time to point out what I regard as the several fundamental fallacies in the various points which he has made, but am compelled to say the arguments advanced are superficial and fallacious. I merely want to say that I deeply desire to see the treaty ratified with the covenant. I can not resist the feeling that the difficulty in arriving at an adjustment of this matter is due largely to pride on either side of the Chamber where the opinions of strong and able men are presented with great force, with great persistence, with great resolution. But the time has at last come when those who are truly and sincerely the friends of the treaty must see that it is necessary, if possible, to compromise their differences.

Mr. President, this great covenant of the league presents the hope and the aspiration of good men of all nations in the world, voiced in many conventions, throughout the world press, attempted to be worked out at The Hague in 1899 and 1907, when an effort was made to provide a means by which international differences should be settled, and urged by the great men of all parties and of all nations. In 1910 a wonderful speech was made by Theodore Roosevelt in his Nobel prize oration declaring for the principles which are now found written in this covenant. I have that address before me. It answers much of the argument which has been made against the covenant of the league which provides arbitration and conciliation, urges respect for the territory and the absolute sovereignty of nations within their own respective limits; urges the development at The Hague of conferences and international courts for the settlement of international differences; urges a species of world federation for international peace and justice; urges that something should be done to check the growth of armaments by international agreement; that the great powers of the world should find no insurmountable difficulty in reaching

an agreement that would put an end to the present costly and growing extravagance and expenditure on naval armaments. Finally he said:

It would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves but to prevent, by force if necessary, its being broken by others.

That is precisely what this league proposes. Roosevelt concluded his speech with this prophetic remark:

The combination might at first be only to secure peace within certain definite limits and under certain definite conditions, but the ruler or the statesman who should bring about such a combination would earn his place in history for all time and his title to the gratitude of mankind.

I ask, without reading, to put the address into the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address referred to is as follows:

[From an address on "International Peace" before the Nobel Prize Committee, delivered at Christiania, Norway, May 5, 1910, by Theodore Roosevelt.]

(Italics are inserted to emphasize certain proposals.—R. L. O.)

Now, having freely admitted the limitations to our work and the qualifications to be borne in mind, I feel that I have the right to have my words taken seriously, when I point out where, in my judgment, great advance can be made in the cause of international peace. I speak as a practical man, and whatever I now advocate I actually tried to do when I was for the time being the head of a great Nation, and keenly jealous of its honor and interest. I ask other nations to do only what I should be glad to see my own Nation do.

The advance can be made along several lines. First of all, *there can be treaties of arbitration*. There are, of course, States so backward that a civilized community ought not to enter into an arbitration treaty with them, at least until we have gone much further than at present in securing some kind of international police action. But all really civilized communities should have effective arbitration treaties among themselves. I believe that these treaties can cover almost all questions liable to arise between such nations, if they are drawn with the explicit agreement that each contracting party will respect the other's territory and its absolute sovereignty within that territory, and the equally explicit agreement that (aside from the very rare cases where the nation's honor is vitally concerned) all other possible subjects of controversy will be submitted to arbitration. Such a treaty would insure peace unless one party deliberately violated it. Of course, as yet there is no adequate safeguard against such deliberate violation, but the establishment of a sufficient number of these treaties would go a long way toward creating a world opinion which would finally find expression in the provision of methods to forbid or punish any such violation.

Secondly, there is the further development of The Hague Tribunal, of the work of the conferences and courts at The Hague. It has been well said that the first Hague conference framed a Magna Charta for the nations; it set before us an ideal which has already to some extent been realized, and toward the full realization of which we can all steadily strive. The second conference made further progress; the third should do yet more. Meanwhile the American Government has more than once tentatively suggested methods for completing the court of arbitral justice, constituted at the second Hague conference, and for rendering it effective. It is earnestly to be hoped that the various Governments of Europe, working with those of America and of Asia, shall set themselves seriously to the task of devising some method which shall accomplish this result. If I may venture the suggestion, it would be well for the statesmen of the world, in planning for the erection of this world court, to study what has been done in the United States by the Supreme Court. I can not help thinking that the Constitution of the United States, notably in the establishment of the Supreme Court and in the methods adopted for securing peace and good relations among and between the different States, offers certain valuable analogies to what should be striven for in order to secure, through The Hague courts and conferences, a species of world federation for international peace and justice. There are, of course, fundamental differences between what the United States Constitution does and what we should even attempt at this time to secure at The Hague, but the methods adopted in the American Constitution to prevent hostilities between the States and to secure the supremacy of the Federal court in certain classes of cases are well worth the study of those who seek at The Hague to obtain the same results on a world scale.

In the third place, something should be done as soon as possible to check the growth of armaments, especially naval armaments, by international agreement. No one power could or should act by itself, for it is eminently undesirable, from the standpoint of the peace of righteousness, that a power which really does believe in peace should place itself at the mercy of some rival which may at bottom have no such belief and no intention of acting on it. But, granted sincerity of purpose, the great powers of the world should find no insurmountable difficulty in reaching an agreement which would put an end to the present costly and growing extravagance of expenditure on naval armaments. An agreement merely to limit the size of ships would have been very useful a few years ago, and would still be of use, but the agreement should go much further.

Finally, it would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves but to prevent, by force if necessary, its being broken by others. The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the court. In any community of any size the authority of the courts rests upon actual or potential force, on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see that the decrees of judicial and legislative bodies are put into effect. In new and wild communities where there is violence an honest man must protect himself, and, until other means of securing his safety are devised, it is both foolish and wicked to persuade him to surrender his arms while the men who are dangerous to the community retain theirs. He should not renounce the right to protect himself by his own efforts until the community is so organized that it can effectively relieve the individual of the duty of putting down violence. So it is with nations. Each nation must keep well prepared to defend itself until the establishment of some form of international police power, competent and willing

to prevent violence as between nations. As things are now, such power to command peace throughout the world could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions. The combination might at first be only to secure peace within certain definite limits and certain definite conditions; but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

Mr. OWEN. Mr. President, the Democratic platform of 1916 enunciated similar principles. Without reading, I ask to have printed in the RECORD an extract from that platform.

The VICE PRESIDENT. Without objection, it is so ordered.

The extract referred to is as follows:

INTERNATIONAL RELATIONS.

The Democratic administration has throughout the present war scrupulously and successfully held to the old paths of neutrality and to the peaceful pursuit of the legitimate objects of our national life which statesmen of all parties and creeds have prescribed for themselves in America since the beginning of our history. But the circumstances of the last two years have revealed necessities of international action which no former generation can have foreseen. We hold that it is the duty of the United States to use its power not only to make itself safe at home but also to make secure its just interests throughout the world, and both for this end and in the interest of humanity, to assist the world in securing settled peace and justice. We believe that every people has the right to choose the sovereignty under which it shall live; that the small States of the world have a right to enjoy from other nations the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; and that the world has a right to be free from every disturbance of its peace that has its origin in aggression or disregard of the rights of peoples and nations; and we believe that the time has come when it is the duty of the United States to join with the other nations of the world in any feasible association that will effectively serve those principles, to maintain inviolate the complete security of the highway of the seas for the common and unhindered use of all nations.

The present administration has consistently sought to act upon and realize in its conduct of the foreign affairs of the Nation the principle that should be the object of any association of the nations formed to secure the peace of the world and the maintenance of national and individual rights. It has followed the highest American traditions. It has preferred respect for the fundamental rights of smaller States even to property interests, and has secured the friendship of the people of such States for the United States by refusing to make a mere material interest an excuse for the assertion of our superior power against the dignity of their sovereign independence. It has regarded the lives of its citizens and the claims of humanity as of greater moment than material rights, and peace as the best basis for the just settlement of commercial claims. It has made the honor and ideals of the United States its standard alike in negotiation and action.

Mr. OWEN. The Senator from Massachusetts [Mr. LODGE] made a famous speech at Union College in which he argued strongly that the nations of the world must get together, as men would get together, for the preservation of peace. Nothing has happened since that time that justifies the change of opinion on the part of the Senator from Massachusetts who stands to-day regarded as opposed to the covenant of the league and determined to kill it by parliamentary maneuver.

Mr. President, many of these reservations I regard as harmless. To a number of them I can cheerfully agree, am willing to agree; but those which are destructive of the meaning of the treaty I should regard as injurious and undoing in part what has been accomplished at Paris and defeating the covenant under color of approving it.

Over in Paris were gathered together the leading men from all the nations of the world. In good faith for weeks and months they worked out this covenant in order to provide means of saving the world against the recurrence of the great World War which killed so many millions of men and maimed so many millions more; which cost unspeakable wealth, running into the hundreds of billions of dollars, raising the cost of living all over the world, causing famine and distress from one end of the earth to the other. Those chosen statesmen of the world did the best they could do to perfect this instrument. They have done well. It is a great instrument; the beginning of a greater instrument. The open door to world-wide democracy, world liberty, and world peace and prosperity.

After all the debate and all the discussion and all the partisan desire to find fault with this treaty of peace, not a single amendment could find the support of a majority in this Chamber. Other nations accepted it apparently without question. They did not raise the fine and technical points of skilled and trained lawyers against this word and that phrase in order to bring about distrust of this instrument.

There is one great difference, I think, between those who favor this league and those who are opposed to it. Those who favor this league believe in the common honesty and common sense of mankind, and they believe that when a question shall come before the council it will meet with the judgment of upright men, of learned men, of patriotic men, of God-fearing men, of men who love their fellow men, and who desire to promote the welfare of the world.

We have reached the point, Mr. President, where we are departing entirely from the ancient rule of autocracy and mili-

tary dynasties in the world to establish the rule of democracies. The rule of democracies is comparatively recent, as nations go. Democracy has grown up in the last hundred years, due to the printing press, due to freedom of the press, and to freedom of speech. Books by the million going everywhere throughout the world and teaching men the art of self-government; teaching men the art of liberty; teaching to all mankind the doctrines upon which our great Government was established. There is hardly a nation in the world now that has not now constitutional government based upon the conceptions upon which our own Government was founded.

Democracies are growing; autocracies are going. The Hohenzollerns, the Hapsburgs, the Bourbons, and the Romanoffs have been swept off the map by the blazing fires of war and in their place are arising new democracies—Poland, Czechoslovakia, Bohemia, Jugo-Slavia, all of them with their new constitutions, all of them democracies, all of them ready and willing and anxious to pledge their faith to the maintenance of democratic doctrines throughout the world. Even the mandatories which are criticized so severely here are pledged, every one of them, to carry out the principles of liberty and to see to it that the interests and welfare of the backward peoples who are to be governed shall be the first consideration of the mandatory and of the league. We are moving forward along the line of democratic government throughout the world, along the line of liberty, along the line of justice; and on liberty and on justice the peace of the world will be based and world wars be obviated. But the world must also be prepared to use force where it is necessary in order to make effective those principles.

Mr. President, I intend to vote against this present resolution of ratification because it contains in itself that which seriously weakens the covenant and makes the possibility of war more likely and will, moreover, prevent the consummation of the treaty, because it is unfair to the Entente Allies. I do not believe there will be another Great World War with or without the league; but with this league, with 50 nations pledged to each other to preserve the territorial integrity of every member, there can be no serious danger in future of any extended war throughout the world.

Senators say there is war now; but the Great War between the Teutonic allies and the Entente Allies has been brought to a close. The flames are still burning in Europe in a comparatively small way; but, when this covenant of the league is established and the organized power of mankind is able to be exerted through the league, those smaller fires will be extinguished and the world will see a new era, an era of universal peace based upon liberty and justice.

Mr. President, in voting against this resolution of ratification I do so because I believe that the majority of this Chamber desire to have a covenant which will secure the peace and happiness of mankind and the protection of this country. I feel perfectly assured that there will be found in this body two-thirds of its Members who will be able to agree upon the ratification of this covenant and that the reservations can be agreed on that will be satisfactory to them. With that faith and with that hope, I shall vote against the pending resolution.

Mr. ASHURST. I call for the question. I presume it is not necessary to call for the yeas and nays.

Mr. McCUMBER. Mr. President, I still have four short minutes of time to my credit, and in this treaty crisis—yes, in this world crisis—I feel it my duty to utilize that time to the last second in an earnest plea to the Members of the other side of the Chamber, who wish to ratify a treaty, that they stand by their convictions and refuse to be carried away by an idle spirit of vexation.

Will you have the courage to stand by your guns and fight this battle to an honorable and a successful conclusion, or will you retreat because you have suffered some minor reverses? Will you stand by your own ship and, though battered somewhat in this conflict, bring it into port, or will you scuttle your ship?

Every one of these reservations represents a compromise between conflicting opinions. You have known from the very beginning that reservations were necessary, and, with the possible exception of the preamble, these reservations are just as mild and inoffensive as could possibly be obtained and yet command enough votes on this side of the Chamber as, added to all you could muster on that side, would make the necessary two-thirds vote for ratification.

And, Mr. President, contrary to allegations, the heart has not been taken out of article 10. That article still reads:

The members of the league undertake to respect the territorial integrity and existing political independence of all members of the league.

That is both the heart and the soul of this article, a hundred-fold more effective than all the teeth you could put into it under the second clause relating to the guaranty by military power.

If the nations entering into that compact honorably keep that agreement, then there will never be any occasion for the second clause. If national honor is at such a low ebb as many of the opponents of this league seem to think and nations will not honorably keep their compact, then they will not honorably keep the second provision to furnish armies against a recalcitrant nation.

Again, article 12 remains. That article reads:

The members of the league agree that if there should arise any dispute likely to lead to a rupture they will submit the matter either to arbitration or to an inquiry by the council. And they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council.

If the signatory nations keep that compact it will end war between them, because they must either submit their differences to an arbitration tribunal outside the league or to an investigation by the council. And this agreement will prevent war.

There is still left every sentence of article 15, which provides, first—

The council shall endeavor to effect a settlement of any dispute.

Time must be given for this. Second—

If the dispute is not settled the council * * * shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

The moment that disturbance is brought before the council there is turned upon the quarrel the light of the intelligence and moral sentiment of the whole world, and in that light truth will prevail and war will cease, because the people of no nation, when the truth is brought home to their heart and conscience, they will not allow their country to defy the moral sensibilities of the whole world.

The VICE PRESIDENT. The question is on the resolution of ratification. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. FALL's name was called). I desire to announce the unavoidable absence of the senior Senator from New Mexico [Mr. FALL]. Were he present, he has directed me to state, he would vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], but I am informed that he would vote "nay" on this question, so I am at liberty to vote. I vote "nay."

The roll call resulted—yeas 39, nays 55, as follows:

YEAS—39.

Ball	Gore	McLean	Smoot
Calder	Hale	McNary	Spencer
Capper	Harding	Nelson	Sterling
Colt	Jones, Wash.	New	Sutherland
Cummins	Kellogg	Newberry	Townsend
Curtis	Kenyon	Page	Wadsworth
Dillingham	Keyes	Penrose	Walsh, Mass.
Edge	Lenroot	Phipps	Warren
Elkins	Lodge	Shields	Watson
Frelinghuysen	McCumber	Smith, Ga.	

NAYS—55.

Ashurst	Harris	Moses	Sherman
Bankhead	Harrison	Myers	Simmons
Beckham	Henderson	Norris	Smith, Ariz.
Borah	Hitchcock	Nugent	Smith, Md.
Brandege	Johnson, Calif.	Overman	Smith, S. C.
Chamberlain	Johnson, S. Dak.	Owen	Stanley
Culberson	Jones, N. Mex.	Phelan	Swanson
Dial	Kendrick	Pittman	Thomas
Fernald	King	Poinceter	Trammell
Fletcher	Kirby	Pomerene	Underwood
France	Knox	Ransdell	Walsh, Mont.
Gay	La Follette	Reed	Williams
Gerry	McCormick	Robinson	Wolcott
Gronna	McKellar	Sheppard	

NOT VOTING—1.

Fall.

So the resolution of ratification was rejected, two-thirds of the Senators present not having voted in favor thereof.

Mr. REED. Mr. President, I move to reconsider the vote just taken.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement as to my pair, I withhold my vote.

The roll call having been concluded, it resulted—yeas 63, nays 30, as follows:

YEAS—63.

Ashurst	Edge	Johnson, S. Dak.	McKellar
Bankhead	Fletcher	Jones, N. Mex.	McLean
Beckham	Gay	Jones, Wash.	McNary
Capper	Gerry	Kellogg	Myers
Chamberlain	Gore	Kenyon	Nelson
Colt	Hale	Keyes	Nugent
Culberson	Harris	King	Overman
Curtis	Harrison	Kirby	Owen
Dial	Henderson	Lenroot	Phelan
Dillingham	Hitchcock	McCumber	Pittman

Pomerene	Simmons	Spencer	Underwood
Ransdall	Smith, Ariz.	Stanley	Walsh, Mass.
Reed	Smith, Ga.	Sterling	Walsh, Mont.
Robinson	Smith, Md.	Swanson	Williams
Sheppard	Smith, S. C.	Townsend	Wolcott
Shields	Smoot	Trammell	

NAYS—30.

Ball	Frelinghuysen	Moses	Sherman
Borah	Gronna	New	Sutherland
Brandeggee	Harding	Newberry	Thomas
Calder	Johnson, Calif.	Norris	Wadsworth
Cummins	Knox	Page	Warren
Elkins	La Follette	Penrose	Watson
Fernald	Lodge	Phipps	
France	McCormick	Poindexter	

NOT VOTING—2.

Fall	Kendrick
------	----------

The VICE PRESIDENT. On the motion to reconsider the vote whereby the resolution of ratification of the treaty of peace with Germany, with reservations, was rejected by the Senate, the yeas are 63 and the nays are 30. So the vote is reconsidered, and the treaty of peace with Germany is in the Committee of the Whole.

Mr. HITCHCOCK. Mr. President, I move that the Senate adjourn, and on that I ask the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I make the same announcement as to my pair, and withhold my vote.

The roll call having been concluded, the result was announced—yeas 42, nays 51, as follows:

YEAS—42.

Ashurst	Henderson	Phelan	Stanley
Bankhead	Hitchcock	Pittman	Swanson
Beckham	Johnson, S. Dak.	Pomerene	Thomas
Chamberlain	Jones, N. Mex.	Ransdell	Trammell
Culberson	King	Robinson	Underwood
Dial	Kirby	Sheppard	Walsh, Mass.
Fletcher	McKellar	Simmons	Walsh, Mont.
Gay	Myers	Smith, Ariz.	Williams
Gerry	Nugent	Smith, Ga.	Wolcott
Harris	Overman	Smith, Md.	
Harrison	Owen	Smith, S. C.	

NAYS—51.

Ball	Frelinghuysen	Lodge	Poindexter
Borah	Gore	McCormick	Reed
Brandeggee	Gronna	McCumber	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smoot
Colt	Johnson, Calif.	Moses	Spencer
Cummins	Jones, Wash.	Nelson	Sterling
Curtis	Kellogg	New	Sutherland
Dillingham	Kenyon	Newberry	Townsend
Edge	Keyes	Norris	Wadsworth
Elkins	Knox	Page	Warren
Fernald	La Follette	Penrose	Watson
France	Lenroot	Phipps	

NOT VOTING—2.

Fall	Kendrick
------	----------

So the Senate refused to adjourn.

Mr. HITCHCOCK. Mr. President, I offer the following reservations to the proposed resolution of ratification.

Mr. LODGE. Mr. President, I rise to a question of order.

Mr. HITCHCOCK. Will the Senator let me offer it?

Mr. LODGE. No; I rise to a question of order and I am entitled to be heard.

Mr. ASHURST. Mr. President, a point of order is not debatable under the last paragraph of Rule XXII.

Mr. LODGE. I am not debating it, but I can state it.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. LODGE. I respectfully make a point of order against the ruling of the Chair that the vote to reconsider takes the question back in Committee of the Whole. The motion to reconsider, unless by unanimous consent, can not possibly take the question beyond the stage of the vote at which it was reconsidered.

Mr. HITCHCOCK. I make a point of order—

Mr. LODGE. I respectfully appeal from the decision of the Chair.

Mr. HITCHCOCK. I make a point of order.

The VICE PRESIDENT. The Chair overrules the point of order of the Senator from Massachusetts.

Mr. LODGE. On that I appeal.

Mr. BRANDEGEE. I demand the yeas and nays on the appeal from the decision of the Chair.

The yeas and nays were ordered.

Several Senators addressed the Chair.

The VICE PRESIDENT. Unfortunately, these questions are not debatable. The Chair can not give his reasons and the Senator from Massachusetts can not give his.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. Is the appeal from the decision of the Chair debatable?

Mr. BRANDEGEE. Not under the rule.

The VICE PRESIDENT. Not under this rule of cloture. The rule says:

Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. BRANDEGEE. Will the Chair state what is the question?

The VICE PRESIDENT. It was the decision of the Chair that the vote whereby the rejection of the resolution of ratification was ordered puts the treaty back into the Committee of the Whole. The question is whether that shall be the decision of the Senate.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry. Has business intervened since the ruling of the Chair was made?

The VICE PRESIDENT. Not that the Chair would consider it, for this purpose.

Mr. LENROOT. Mr. President, I make a parliamentary inquiry. The question is, Shall the decision of the Chair be sustained?

The VICE PRESIDENT. That is it. Shall the decision of the Chair stand as the judgment of the Senate?

Mr. LODGE. Those who support the appeal will vote with me, "nay."

The VICE PRESIDENT. That is correct.

Mr. ROBINSON. I make the point of order that debate is out of order.

The VICE PRESIDENT. Senators ought to know how to vote without the Senator's advice.

Mr. BRANDEGEE and Mr. HITCHCOCK. Let the roll be called.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement of my pair as before, I withhold my vote.

The roll call having been concluded, the result was announced—yeas 42, nays 51, as follows:

YEAS—42.

Ashurst	Henderson	Phelan	Stanley
Bankhead	Hitchcock	Pittman	Swanson
Beckham	Johnson, S. Dak.	Pomerene	Thomas
Chamberlain	Jones, N. Mex.	Ransdell	Trammell
Culberson	King	Robinson	Underwood
Dial	Kirby	Sheppard	Walsh, Mass.
Fletcher	McKellar	Simmons	Walsh, Mont.
Gay	Myers	Smith, Ariz.	Williams
Gerry	Nugent	Smith, Ga.	Wolcott
Harris	Overman	Smith, Md.	
Harrison	Owen	Smith, S. C.	

NAYS—51.

Ball	Frelinghuysen	Lodge	Poindexter
Borah	Gore	McCormick	Reed
Brandeggee	Gronna	McCumber	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smoot
Colt	Johnson, Calif.	Moses	Spencer
Cummins	Jones, Wash.	Nelson	Sterling
Curtis	Kellogg	New	Sutherland
Dillingham	Kenyon	Newberry	Townsend
Edge	Keyes	Norris	Wadsworth
Elkins	Knox	Page	Warren
Fernald	La Follette	Penrose	Watson
France	Lenroot	Phipps	

NOT VOTING—2.

Fall	Kendrick
------	----------

So the Senate did not sustain the decision of the Chair.

The VICE PRESIDENT. It appears that the Chair did not know the law.

Mr. HITCHCOCK. We are now still in the Senate and not in Committee of the Whole.

The VICE PRESIDENT. You are right where you were. You have decided that you are not where I thought you were.

Mr. HITCHCOCK. I offer the following resolution of ratification—

Mr. LENROOT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Wisconsin will state it.

Mr. LENROOT. May I ask the Chair whether he has stated the question before the Senate now pending?

The VICE PRESIDENT. The Chair has stated nothing. The Chair was overruled by the Senate.

Mr. LENROOT. Is it not in order to state the question before the Senate?

The VICE PRESIDENT. There is not any question so far as the Chair knows. The Senator from Nebraska is about to present one.

Mr. LODGE. Am I mistaken in supposing that the question before the Senate is exactly what it was before the motion to reconsider was acted upon and that that question is the resolution of ratification?

Mr. ROBINSON. Mr. President, a point of order.

Mr. LODGE. I have a right to make a parliamentary inquiry.

Mr. ROBINSON. Certainly.

The VICE PRESIDENT. I suppose the Chair might as well state now as at any time that this parliamentary situation arises from the part of the rule of the Senate touching treaties which suffers and permits all questions, except the final vote, to be decided by a majority vote in derogation if not in violation of the Constitution of the United States. It would not have been here if we had adopted all that was agreed to by a two-thirds vote. Then we would have known where we were. The Chair believes that since the reconsideration of the vote, and so rules, that other amendments may be offered, or rather a resolution of ratification may be offered if the majority of the Senate so wants to proceed.

Mr. LENROOT. Mr. President, a parliamentary inquiry.

Mr. HITCHCOCK. I should like to have my question stated. There is nothing before the Senate.

Mr. LODGE. I am making the point of order that it is not in order.

Mr. HITCHCOCK. The Senator does not know what it is.

Mr. LODGE. No motion is in order now unless you are going to move to reconsider the previous vote.

Mr. HITCHCOCK. That has been carried. Then the motion is on my resolution.

Mr. LODGE. Then the motion is on my resolution.

Mr. HITCHCOCK. What is your resolution?

Mr. LODGE. To ratify the treaty with reservations.

Mr. LENROOT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LENROOT. Can anything be offered unless there is a question before the Senate?

The VICE PRESIDENT. It has to be offered in order to be a question before the Senate.

Mr. LENROOT. Can any amendment be offered to any proposition that is not before the Senate?

The VICE PRESIDENT. The Chair evidently has not been understood by the Senate. This, of course, is a question for the Senate to decide by a majority vote. The Chair has tried to express his opinion that other resolutions of ratification are now in order, or amendments to the present resolution of ratification are in order, or an unqualified resolution of ratification is now in order, or a motion to recommit the treaty to the Committee on Foreign Relations, a motion to table the treaty, or a motion indefinitely to postpone the treaty, or a motion to send it to the President with notice that the Senate will have nothing to do with it. That is what the Chair has been trying to express as the opinion of the Chair.

Mr. POINDEXTER. Mr. President, I desire to make a point of order.

The VICE PRESIDENT. What is the point of order?

Mr. POINDEXTER. The point of order is that Rule XXXVII, relating to the ratification of treaties, found in the middle of page 43 of the Senate rules, provides that:

The decisions thus made—

Referring to amendments or reservations—

shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless by unanimous consent, the Senate determine otherwise; at which stage no amendment shall be received, unless by unanimous consent.

The point of order is that under that rule the proceedings referred to having been had and having been reduced to a resolution of ratification, and that now being before the Senate upon the vote of the Senate for reconsideration, no amendments are in order under the express and explicit provisions of the rule.

The VICE PRESIDENT. Unfortunately, under the cloture rule, the Chair can not make an argument and a Senator can not argue the question. The Chair overrules the point of order.

Mr. LODGE. I appeal from the ruling of the Chair.

The VICE PRESIDENT. The Senator from Massachusetts appeals from the ruling of the Chair on the point of order. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. REED and Mr. LA FOLLETTE called for the yeas and nays.

Mr. ROBINSON. Mr. President, the resolution of the Senate from Nebraska has not been read.

Mr. LODGE. That does not make any difference.

Mr. LA FOLLETTE. It can not be read.

Mr. LODGE. It can not be read.

Mr. ROBINSON. I suggest that the resolution should be read before a point of order can be made to it.

Mr. LODGE. The point of order is not to it.

Mr. ROBINSON. I make the point of order that since the resolution of the Senator from Nebraska has been offered, it is the pending question, and before another point of order can be made that question must be disposed of, either by a point of order or a vote of the Senate. I ask that the resolution be read.

Mr. LODGE. A ruling has been made.

The VICE PRESIDENT. The Chair overrules the point of order, and will try to maintain good humor so that the question may be settled.

Mr. McCUMBER. Mr. President, at this time can I make a parliamentary inquiry?

The VICE PRESIDENT. The Chair thinks not. Let us vote on these questions. It is up to the majority of the Senate.

Mr. HITCHCOCK. Mr. President, will the Chair state the proposition?

Mr. BRANDEGEE. An appeal is pending now from the ruling of the Chair.

Mr. LA FOLLETTE. On that appeal, I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays have been requested. Is there a second?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement as heretofore concerning my pair, I withhold my vote.

The roll call having been concluded, the result was announced—yeas 43, nays 50, as follows:

YEAS—43.

Ashurst	Henderson	Owen	Smith, S. C.
Bankhead	Hitchcock	Phelan	Stanley
Beckham	Johnson, S. Dak.	Pittman	Swanson
Chamberlain	Jones, N. Mex.	Pomerene	Thomas
Culberson	King	Ransdell	Trammell
Dial	Kirby	Robinson	Underwood
Fletcher	McCumber	Sheppard	Walsh, Mass.
Gay	McKellar	Simmons	Walsh, Mont.
Gerry	Myers	Smith, Ariz.	Williams
Harris	Nugent	Smith, Ga.	Wolcott
Harrison	Overman	Smith, Md.	

NAYS—50.

Ball	Frelinghuysen	Lodge	Reed
Borah	Gore	McCormick	Sherman
Brandegge	Gronna	McLean	Shields
Calder	Hale	McNary	Smoot
Capper	Harding	Moses	Spencer
Colt	Johnson, Calif.	Nelson	Sterling
Cummins	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Newberry	Townsend
Dillingham	Kenyon	Norris	Wadsworth
Edge	Keyes	Page	Warren
Elkins	Knox	Penrose	Watson
Fernald	La Follette	Phipps	
France	Lenroot	Poinexter	

NOT VOTING—2.

Fall Kendrick

So the decision of the Chair was not sustained.

Mr. ROBINSON. Mr. President, I desire to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LODGE. Mr. President, before the inquiry is made, may I ask to have stated the question before the Senate?

Mr. ROBINSON. I desire to submit a parliamentary inquiry.

Mr. LODGE. Very well.

Mr. ROBINSON. Does the cloture rule of the Senate providing that points of order shall be determined without debate preclude the Presiding Officer of the Senate from stating the reasons for his decision? Does not that rule apply solely to the debates of the Senate? Is it applicable in any sense to the Presiding Officer? Is not the Presiding Officer at liberty in every deliberative assembly of the world and under the cloture rule of the Senate to state the reasons for his decision?

The VICE PRESIDENT. About other bodies the Chair does not know, but here the Chair thinks he has a perfect right to give the reasons for his decision. The Chair now recognizes the Senator from Massachusetts.

Mr. LODGE. I desire to ask that the Chair have the kindness to state the question now before the Senate.

The VICE PRESIDENT. The Chair understands that the Senate has decided that the resolution of ratification is before the Senate.

Mr. POINDEXTER and others called for the yeas and nays.

Mr. HITCHCOCK. Mr. President, the Senators on this side are ready to vote again, and they are ready to vote substantially as they did before—

Mr. LA FOLLETTE. Then let us vote.

Mr. HITCHCOCK. And we will vote without very much discussion.

SEVERAL SENATORS. Vote!

Mr. LA FOLLETTE. I ask for the yeas and nays.

Mr. PITTMAN. Mr. President, I am ready to vote, but I am going to relieve myself of some sentiments before I vote.

Mr. PENROSE. Regular order!

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. McCUMBER. I was going to move an amendment, but if the Senator has the floor I will withhold it until he concludes.

Mr. PITTMAN. I will yield to the Senator for the purpose of offering an amendment, and will take the floor after that is disposed of.

Mr. McCUMBER. Mr. President, I desire to offer an amendment to the first reservation.

Mr. PITTMAN. I yield for that purpose.

Mr. POINDEXTER. I make a point of order against that, that it is out of order.

Mr. McCUMBER. I desire a ruling of the Chair as to whether I can offer the amendment.

Mr. POINDEXTER. The point of order is the same as that which I stated previously and which was ruled upon by the Chair and by the Senate upon an appeal from the decision of the Chair.

The VICE PRESIDENT. The Senator from North Dakota can offer it, at least. There is no great hurry now.

Mr. McCUMBER. Mr. President, before the vote is taken I offer the following amendment to reservation numbered 1: Strike out all after the word "ratification," on line 3, down to and including the word "Japan," on line 9.

Mr. POINDEXTER. Mr. President, I make the point of order—

Mr. KNOX. I rise to a parliamentary inquiry. Has the proposed amendment been proposed before and read?

Mr. McCUMBER. Oh, yes.

The VICE PRESIDENT. It has been proposed before and read.

Mr. LODGE. Mr. President, I make the point of order that under the decision of the Senate five minutes ago, the question before the Senate being the resolution of ratification, the Senate has just decided that amendments are not in order.

The VICE PRESIDENT. It takes three votes to satisfy the Chair. The Chair overrules the point of order.

Mr. POINDEXTER. I appeal from the decision of the Chair, and ask for the yeas and nays on the appeal.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate? On that question the yeas and nays have been called for and ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement of my pair as heretofore, I withhold my vote.

The roll call having been concluded, the result was announced—yeas 43, nays 50, as follows:

YEAS—43.

Ashurst	Henderson	Owen	Smith, S. C.
Bankhead	Hitchcock	Phelan	Stanley
Beckham	Johnson, S. Dak.	Pittman	Swanson
Chamberlain	Jones, N. Mex.	Pomerene	Thomas
Culberson	King	Ransdell	Trammell
Dial	Kirby	Robinson	Underwood
Fletcher	McCumber	Sheppard	Walsh, Mass.
Gay	McKellar	Simmons	Walsh, Mont.
Gerry	Myers	Smith, Ariz.	Williams
Harris	Nugent	Smith, Ga.	Wolcott
Harrison	Overman	Smith, Md.	

NAYS—50.

Ball	Frelinghuysen	Lodge	Reed
Borah	Gore	McCormick	Sherman
Brandegee	Gronna	McLean	Shields
Calder	Hale	McNary	Smoot
Capper	Harding	Moses	Spencer
Colt	Johnson, Calif.	Nelson	Sterling
Cummins	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Newberry	Townsend
Dillingham	Kenyon	Norris	Wadsworth
Edge	Keyes	Page	Warren
Elkins	Knox	Penrose	Watson
Fernald	La Follette	Phipps	
France	Lenroot	Poinexter	

NOT VOTING—2.

Fall Kendrick

So the ruling of the Chair was not sustained.

Mr. McCUMBER. Mr. President, I move to reconsider the vote by which reservation No. 1 was adopted.

Mr. POINDEXTER. I call for the yeas and nays on that, Mr. President.

Mr. REED. The Senator from North Dakota can not do that.

Mr. BRANDEGEE. Mr. President, I inquire when reservation No. 1 was adopted?

The VICE PRESIDENT. The Chair does not know.

Mr. BRANDEGEE. The motion to reconsider must be made within two days, of course.

Mr. PENROSE. Mr. President, I raise the further point of order that the Senator from North Dakota did not vote for reservation No. 1, and therefore is not able to make the motion to reconsider.

The VICE PRESIDENT. The Chair, unfortunately, is not in possession of the record.

Mr. PENROSE. The charge seems to be admitted, so the case will be dropped.

Mr. ROBINSON. Mr. President, I address myself to the resolution.

The Senate is now proceeding in violation of all the precedents with which I am familiar and to which my attention has been called. After overwhelmingly defeating the resolution of the Senator from Massachusetts with reservations, the vote being 39 in favor of the resolution and 55 against it, the Senate, in disregard of its parliamentary precedents, well established throughout the history of the Senate, is now called upon to vote again upon the identical proposition that it defeated a few moments ago. If the decision upon the point of order be adhered to by the Senate, we may continue indefinitely to vote upon the resolution of the Senator from Massachusetts with the reservations agreed to by the majority.

Mr. LODGE. Mr. President—

Mr. ROBINSON. Indeed, Mr. President, if this situation be not relieved by a reversal of the action of the Senate respecting the point of order, the Senate never can reach an agreement concerning the treaty of peace.

I yield to the Senator from Massachusetts.

Mr. LODGE. The Senator is an excellent parliamentarian. He must know that no other motion to reconsider can be in order. It is set forth in Rule XIII.

Mr. ROBINSON. Mr. President, I have not yet stated the reasons for my assertion that the Senate is violating its precedents.

Mr. LODGE. I have them all here, if they will be of any service to the Senator.

Mr. ROBINSON. I do not question, no Senator has questioned, the propriety of a motion to reconsider; but I want to point out to the Senator from Massachusetts and to my colleagues that in all of the precedents with which I am familiar, the result of a motion to reconsider a resolution of ratification with amendments, when that motion to reconsider is agreed to by the Senate, is to restore the treaty to the Committee of the Whole and is to make admissible the consideration of other amendments or reservations than those embraced in the original resolution; and it is to that proposition that I desire to address myself.

Let me say that any other rule would be unreasonable. It is the policy of the rules of the Senate that we shall pursue a course which will enable this body to reach a decision. The effect of the erroneous decision imposed upon this body by a majority of the Senate a few moments ago is to deprive the Senate of the power to reach a decision.

Mr. President, I call attention to Crandall on Treaties, Their Making and Enforcement. At page 82, section 43, I find this expression:

Reconsideration by Senate: All motions in the Senate in the consideration of a treaty, except to postpone indefinitely and to give its final advice and consent to the ratification, both of which require a two-thirds vote, are decided by a majority.

A resolution advising the ratification of a treaty with amendments may fail to receive the required two-thirds vote, be reconsidered, and, with different amendments, be agreed to.

Mr. President, there are many decisions sustaining that proposition, which is the doctrine applicable to this case, the case being exactly in point.

I call attention first to a case reported in Ninth Executive Journal, at pages 306 and 312. In that case the Senate disagreed to a resolution of ratification embracing amendments. Subsequently that resolution was reconsidered, as the resolution of the Senator from Massachusetts has been reconsidered. In that case the Senate proceeded in the Committee of the Whole, after the reconsideration, to adopt other amendments, and to ratify the treaty.

Another precedent is found to the same effect at pages 139 and 144, Tenth Executive Journal. In that case the vote upon a resolution of ratification with amendments was 20 to 14, so the resolution was not agreed to.

Subsequently a motion to reconsider was made and carried. The treaty was then held to be in the Committee of the Whole and subject to amendment. It was amended, and, as reported,

at page 144 of the same book, the treaty was ratified with other amendments than those embraced in the original resolution of ratification.

I find another precedent in the Thirteenth Executive Journal, at pages 416 and 423.

Another in the Twenty-fourth Executive Journal, at pages 141 and 205.

Another in the Twenty-seventh Executive Journal, pages 469 and 470.

The last precedent which I wish to cite is contained in the Thirtieth Executive Journal, at pages 358, 359, 377, and 378. In all these cases, or in nearly all of them, I find language analogous to this:

The Senate proceeded to consider the motion submitted by Mr. Hill on the 13th instant, that the resolution of the Senate advising or consenting to the ratification of the convention concluded at the city of Buenos Aires, September 26, 1896, between the Governments of the United States and the Argentine Republic, providing for the extradition of criminals, with amendments, be reconsidered.

Thereupon the said convention was again considered as in Committee of the Whole and open to amendment.

That language is used practically in all the precedents.

So, Mr. President, whenever a resolution of ratification incorporating amendments or reservations has been defeated for lack of a two-thirds vote, and that vote has been reconsidered, the effect is not to bring before the Senate the resolution of ratification with the identical amendments, but it is to bring back into the Committee of the Whole the treaty open to amendment. The decision of the Chair was right. I ask the Senator from Massachusetts [Mr. LODGE] to cite his precedents in contradiction of the authorities which I have set forth. It is not a question, sir, of the right or propriety of reconsideration. It is a question as to the legal effect or result of carrying a motion to reconsider. Here we have the amazing spectacle of what we sometimes proudly call the greatest deliberative body in the world consuming month after month in the consideration of a treaty. A resolution of ratification incorporating reservations is proposed; it does not even command a majority of the Senate; it is defeated by a vote of 39 in favor of it to a vote of 55 against it; and yet the position of the leader of the majority, and those who support his contention, is to the effect that the Senate is powerless to vote on any question save that same old question, which I maintain has been determined.

The Senate as an institution of this Republic under the Constitution is entitled to an opportunity to ratify this treaty. Can it be maintained that a minority of the Senate can prevent our consideration of reservations when the resolution incorporating the reservations adopted by the majority have failed to receive, not only the necessary two-thirds vote for ratification, but have failed to receive a majority vote of the Senate? The sensible thing to do, Mr. President, is that which the rules and precedents of the Senate contemplate shall be done, the thing that the decision of the Vice President contemplates shall be done. The decision of the Senate, made a few moments ago in haste, has the effect of depriving the Senate of the opportunity of reaching an agreement on this very important subject.

Mr. LENROOT. Mr. President, I am familiar with all of the precedents read by the Senator from Arkansas, and I do not think the Senator from Arkansas stated to the Senate the fact that in every case he cited the action was taken by unanimous consent. The Senate, of course, can always do anything that it chooses by unanimous consent.

Mr. ROBINSON. Mr. President—

Mr. LENROOT. I do not yield.

Mr. ROBINSON. Will the Senator not yield?

Mr. LENROOT. I do not yield, because my time is nearly gone.

Mr. ROBINSON. Very well; but the Senator has misquoted me.

Mr. LENROOT. The Senate can do anything it chooses by unanimous consent. Let me cite just one precedent of a reconsideration.

Mr. Hale moved that the resolution be reconsidered February 26, 1864.

On motion of Mr. Sumner, the Senate proceeded to consider the motion submitted by Mr. Hale on the 28th instant, which was agreed to.

The question recurring on the said resolution of ratification, it was determined in the affirmative.

With all due respect to the Chair, I say there is nothing more elementary in parliamentary law than that when a motion to reconsider prevails it brings the question back to exactly the stage in which it was immediately before the vote was taken. The question as put by the Chair was, Shall the resolution of ratification be adopted? The question properly before the Senate was that question, and not others, and the Senate was entirely correct in overruling the Chair as it did.

There is a way by which they can get back to these various reservations, of course, but they can not do it by violating elementary principles of parliamentary law, and nothing is more elementary, as I am sure the Senator from Arkansas must know, because he is a good parliamentarian, than that a vote to reconsider brings the question back to exactly where it was before the vote was taken, and if there is anything prior to that that it is determined to change, a reconsideration must be had of each question by itself.

Mr. UNDERWOOD. Mr. President, I did not intend to detain the Senate, but we have reached a point in the most important business that confronts the people of the United States where I believe we might as well have a clear understanding of the position on each side of this Chamber, and I propose to try to interpret what that position is.

More than a year ago the American soldiers won peace on the battle fields of Europe. For more than a year the American people have been demanding that the victories won in Europe should be written on the books of the world, and that the peace of the world should be proclaimed.

The President of the United States has negotiated a treaty of peace. Twenty-six nations sat at the peace table. It is idle for any man to assume that the contract made at that peace table was not a question of compromise and could not in itself reflect the entire sentiment of any nation which signed the contract.

The American people are not deceived in reference to that question. But they do demand peace. They demand peace at the hands of the Senate of the United States, and since the month of May, nearly six months ago, a treaty of peace has been pending before this Chamber.

This side of the Chamber is not responsible to the country for the action that the Senate will take. The majority rests in the hands of the Republican Party. The Republican Party is responsible to the people of the United States for the peace of the Nation, and what a spectacle is presented to the country to-night as to the way the Republican Party is exercising the power intrusted to it by the people of the United States.

After months of debate, months of delay, the majority party has presented to the Senate a resolution of partial ratification of the treaty of peace, a resolution proposing certain reservations that, as the President of the United States himself has said, is a nullification of this treaty and not a ratification. With what result? The resolution comes before the Senate of the United States for final action, and is defeated by a vote of 55 to 39. Although the resolution requires a two-thirds vote, under the Constitution of the United States, for its ratification, it commands but little over a third of the membership of this body in favor of its adoption.

It may be said that some gentlemen in this Chamber have voted against the ratification resolution for one reason and some have voted against it for another, but the makers of the Constitution were so careful that a treaty should reflect the mature sentiment of the people of the United States that they required that its ratification should receive the vote of two-thirds of the membership of this body.

But here, after months and months of struggle, the final resolution comes before us and commands but little over one-third of the membership of this body, a large majority defeating this attempted exercise of power. The vote of the Senate has been a repudiation of the exercise of power by the other side of the Chamber, and with what result? One would think that the gravity of the situation is so great that when the leadership that were entitled to control the situation found that they could not command a majority vote, that they had been discredited in their own house, they would at least have allowed those in opposition who commanded a majority to make a proposal to the country.

That is true in every other legislative body in the world. Is there a legislative body in the world where the leadership finds that it has lost control of the majority that it does not recognize that the new majority has its right to make its proposal and submit its proposal to the electorate of the legislative body?

Mr. MCCORMICK. Will the Senator yield for a question?

Mr. UNDERWOOD. I yield.

Mr. MCCORMICK. Is there any other democracy in the world in which the executive has been repudiated at an election of the people where it does not surrender its power?

Mr. UNDERWOOD. That is just about the class of answer that we have gotten in reference to this treaty all along the line. How far does the question of the Senator from Illinois answer the question that is before the Senate? He knows as well as I do that the President of the United States is elected for four years. He knows as well as I do that the President himself was not an issue, but it was the control of the legislative

branches of Congress, and he assumes, because the people elected a Republican majority in the two Houses of Congress, that they have repudiated the President of the United States.

I am not going into that argument. If the Senator from Illinois wishes to theorize on that question, he may do so; but it is just about as clear as any answer that has been made to the propositions which have been pending before the Senate in reference to the ratification of the treaty.

Mr. President, where are we coming to in this matter? As I said a moment ago, it makes no difference what the reason is; it makes no difference why I voted against the Lodge resolution and why the Senator from Illinois voted against the Lodge resolution, as I think he did. The former majority lost control of this Chamber, and yet, after losing control, it being clearly demonstrated that they not only could not command the constitutional majority of two-thirds but that they could not even command a bare majority, and they stood here defeated by 16 majority; and then through parliamentary license they move to reconsider for the purpose of bringing a repudiated and defeated resolution again before the Senate.

For what purpose? For the purpose of idling away the time of the country, for the purpose of playing football with the greatest problem that confronts the American people, or perchance was it for the purpose of trying to drive an unwilling majority to accept the dictates of a small minority? That is the problem. Is that what you are trying to do? Are you trying to coerce the Senators on this side who voted against the Lodge resolution to vote for it? Are you trying to coerce the Senators on this side of the Chamber who voted for the Lodge resolution to ratify under the pretense that if they do not vote for ratification the treaty of peace is repudiated?

Ah, Mr. President, let a great political party—and the Republican Party has been a great party in this country—go before the country with a simulated issue of that kind, and there is no question as to what will be the verdict of the American people on their action. The will of the majority in this Chamber is entitled to honest recognition and is not getting it. It is not given an opportunity to honestly register its verdict, and it is entitled to do so.

Where is the proposal of the leader of the majority carrying us? Repudiated on the floor of the Senate, he by parliamentary tactics is bringing us back again to the same vote on his repudiated resolution. Does he think for one moment that he can drive Senators into accepting a resolution of nullification, a resolution that could not mean anything but delay if adopted, because nobody can know better than the proponent of the resolution that after the reading of the President's letter which the Senator sent to the desk to-day, if his resolution were adopted the President would be compelled to refuse to accept the action of the Senate; and nobody knows better than the proponent of this resolution that if the President of the United States accepted it and sent it back to Paris it would not be recognized or accepted.

We in this resolution repudiate the contract of other nations and then compel them to accept that repudiation in order that we can obtain peace. In other words, the proponents of this resolution propose to force an unwilling majority here to accept their terms of peace, and then, with that supreme ego that is unequaled anywhere that I have ever seen under God's canopy, they propose to force the balance of the world to repudiate its contract in order that the United States of America and its people may have peace. The position is absurd. It is untenable. It could not be maintained before any people on God's footstool.

Mr. President, we might as well recognize this proposition and look it in the face. The men who voted against the resolution of the Senator from Massachusetts [Mr. LODGE] on this side of the Chamber, possibly with one or two exceptions, have been from the very beginning in favor of peace, in favor of the ratification of the treaty of peace.

It was not many months ago when most of the men who proposed this legislation from the Committee on Foreign Relations had signed a round robin repudiating the action of the President of the United States and saying that he could not get peace on those terms. They had a perfect right to express their views, and they did so. But they can not conceal that their purpose is to defeat the treaty, and not to ratify it. If they wanted to defeat the treaty, no one criticized them for making the attempt, but where the criticism does lie, and legitimately lies, is when they ignominiously failed in their attempt to pass their resolution that they should now try to shackle the hands of the Senate and prevent action by a real majority of the Senate that would look to the consummation of a real treaty of peace.

There can be no doubt that Senators on this side of the Chamber who repudiated that resolution two hours ago would be unworthy to bear the name of Senators if they do not repudiate it again when it comes before the Senate, and I have no doubt that they will. Their votes alone are enough to defeat it, but I do not doubt either that the men on the other side of the Chamber who voted hold the same convictions now that they did two hours ago and will vote the same way, which means the repudiation again of the resolution. That situation lies ahead of us as soon as this debate is closed.

Then what is the position that confronts us? We shall maintain that we are entitled to offer other resolutions of ratification, other proposals. The Chair has already ruled, and correctly ruled, that we have a right to do so, but a majority have destroyed his ruling. Where we are coming to when this resolution is voted down again is to face the fact as to whether a partisan majority which can be controlled to vote affirmatively on its own measure intends to destroy the treaty of peace by an indirect measure, to say to the Senate, "You shall ratify the treaty of peace as we, the minority, command you, or it shall not be ratified at all; that we will defeat peace."

That is the issue, and so far as I am concerned for one I am perfectly willing to meet it. I am not fearful that it will be misunderstood by the American people.

I am not fearful that it will be misunderstood by the American people. They know who stand for the ratification of this treaty of peace, and they know who wish to destroy it. When the final vote on the resolution of the Senator from Massachusetts [Mr. LODGE] comes and is defeated, then we have merely been indulging in child's play and must take up the real resolution that may ultimately result in the ratification of the treaty, or the Senator from Massachusetts must introduce a resolution informing the President that the Senate will take no further action in this matter and send him back the treaty. Do that if you will, but do not think for one moment when you attempt to send this treaty back to the President or adjourn without action on it that the country is going to misunderstand who are in favor of the ratification of the treaty and who are opposed to it. Do not think for one moment that you can fool the great business interests of this country, which are crying and pleading for peace; do not think for one moment that you can fool the toiling masses of America who are crying and pleading for peace. If you want peace, there is but one way to get peace, and that is to keep this treaty before the Senate until we can secure, in one way or another, fairly and justly a vote for its ratification. You can not accomplish that by choking off the consideration of the treaty and continuing to force before this body a resolution that has been repudiated by a majority of 16 within the afternoon.

Mr. HARDING. Mr. President, I have been content to allow the final disposition of the pending measure without any further remarks, but I could not well be content to permit the statement of the Senator from Alabama [Mr. UNDERWOOD] to go unchallenged. I quite agree with him that no one can fool the country; and, in order that we may make the situation clear to the country to-night, when all of the United States is watching the action of this body no less intently than are those who honor us with their presence, and when all the world is watching to see what this great Republic will do, I am in favor of doing what may be expressed in a well-understood sporting term as "laying all the cards on the table, face up."

We have been witnesses, Senators, to many months of discussion and debate and delay in dealing with this treaty; and it ill becomes any Senator of the minority to say that there has been no opportunity for compromise or accommodation or adjustment. I was personally a witness to the long-drawn-out discussion of reservations in the Foreign Relations Committee when we sought in a more intimate study of the treaty to accommodate our differences there, because there was not a Member of the Senate and there was but one man in the United States of America who did not know that this treaty could never be ratified without reservations. With that perfectly plain understanding of the situation, the committee set itself to work out reservations which would safeguard the interests of the United States of America and make ratification possible.

I speak, Mr. President, for one who has maintained that position. I have not liked this treaty; I think, as originally negotiated, it is the colossal blunder of all time; but, recognizing the aspirations of our own people and the people of the world to do something toward international cooperation for the promotion and preservation of peace and a more intimate and better understanding between nations, I have wished to make it possible to accept this covenant. I could, however, no more vote to ratify this treaty without reservations which make sure

America's independence of action, which make sure the preservation of American traditions, which make sure and certain our freedom in choosing our course of action, than I could participate in a knowing betrayal of this Republic.

Mr. President, in letting the public understand let us review the situation. In the Senate there are four distinct schools of thought in dealing with this treaty: One is the unconditional-ratification school, those who either through their own conscientious convictions or the lash of the Executive—choose as you will—want this treaty ratified without a single modification or reservation. That is group No. 1. In direct opposition is the so-called irreconcilable group, those who are unalterably opposed to any ratification. That is group 2. The third is the group, to which I choose to belong, if I may, who are agreed to bring about the ratification of this treaty if they are convinced that reservations have been adopted which are sufficient to safeguard the interests of the United States of America. There still remains another group—or, rather, a group within a group—popularly known as the "mild reservationists," those who are anxious to ratify, who are anxious to safeguard the interests of this Republic, but at the same time desire to make the reservations as little offensive as possible to those who assumed to negotiate the treaty in contempt of the Senate.

We have had the four groups to deal with; and in the progress of the debate and after much discussion we have finally come to an understanding on this side alone—because on the other side there were those who took the position that there could be no reservations at all—and have accommodated our differences to the extent that the majority has agreed upon a program of reservations.

The Senator from Alabama, Mr. President, who is himself, if I remember correctly, an advocate of cloture and a strong advocate of the policy of the majority doing business, makes a rather doubtful statement when he challenges the ability of the majority to do business in this Chamber, because again and again the majority has demonstrated its determination to support the reservations reported to this body. That is why they are added to the resolution. If a man is the advocate of the majority in a legislative body performing its functions, he must accept the dictum of the majority of this body.

That leads me, if you please, to indulge in a little reflection. The whole trouble with the treaty, Senators, is that it was negotiated upon a misunderstanding upon the part of the Executive. No one doubts for a moment that the President, in that disregard for the Senate which grew out of war conditions, in that little consideration for this body which followed a state of submergence, undertook to negotiate a treaty, which was his towering ambition, notwithstanding he knew the opposition of a majority and in defiance of the expressed wish or the expressed opinion of a sufficient number to defeat ratification, under the Executive impression that no modification or alteration could be effected except by a two-thirds majority vote of the Senate.

Mr. McCORMICK. And he so stated.

Mr. HARDING. He himself not only so stated, but those who have been students of the whole negotiation and the aftermath have clearly seen that the Executive proceeded on that theory. But it develops, Mr. President, that there is still a United States Senate and a majority, of course, in the Senate which is determined to reassert itself.

It was all right, Senators, to submerge ourselves as members of the Government commissioned by the people, as we did submerge ourselves during the period of the war; I was a participant in the submergence; but when the war ended and the greatest document in importance ever negotiated in the world came to this body for consideration, then it was becoming, indeed, for the United States Senate again to assume its constitutional authority.

It is in that assumption of authority that Senators on this side in the majority—not all in accord, let it be said, but Senators on this side in the majority—determined, with practical unanimity, that there could be no ratification without ample American reservations.

The members of the minority have known of the processes employed in framing the reservations. There have been weeks and months of opportunity to accommodate any differences and to meet us on common ground and negotiate acceptable reservations; but, in spite of that existent opportunity and in spite of the waste of time, when you on the other side have been clamoring about delay, never a single effort has been made until the majority has demonstrated its determination to submit reservations which must be accepted.

Now, you who talk about peace—though our attitude in dealing with the treaty, which dealing has little to do with the

peace already established—you who are anxious to get this document out of the way, why not recognize a situation that can not possibly be changed?

We are content to give you your league of nations, doubtful as we are about the wisdom of the great experiment. We recognize that we are not giving it to you in the fullness of the ambitions of the Chief Executive who negotiated it; we realize and regret that it must be reported to the nations of the world with something very much akin to humiliation. That is not the fault of the Senate; that is the fault of him who negotiated it without recognizing that there is a Senate. It is a very great misfortune, and I am sorry about it; but I tell you, Senators, the independence of action and the preserved inheritance of this Republic are infinitely more important than the wounded feelings of him who negotiated it without admitting the existence of the Senate. So we in the majority are agreed to preserve American freedom of action and enter upon a league of nations, a league with such reservations that leave us our choice of action, the exercise of American conscience, the determination to do that which we think is our part in the promotion and preservation of civilization and peace without the surrender of things essentially American.

If this ratification is made with the reservations which have been adopted, there remains the skeleton of a league on which the United States can, if it deems it prudent, proceed in deliberation and calm reflection toward the building of an international relationship which shall be effective in the future.

The trouble with the whole league covenant is that it was hastily negotiated to be made the foundation of a treaty of peace, when there ought to have been a treaty of peace negotiated with a league of nations created in the deliberate aftermath.

Under these circumstances, recognizing conditions, without discussing the partisan phase of it or any political advantage, we have this arrangement, and we must meet it as it exists; and those on the majority side, those against it irreconcilably, and those for the league want these reservations to go to the nations of the Old World to assert and make certain America's freedom of action in the future, and leave a semblance of a league on which to build.

If those on the other side of the Chamber are agreed to accept such a thing as that, well and good. If you are determined that a minority of the Senate shall follow the same blind insistence that characterized the action of the Executive in negotiating, I warn you now, you are certain to go to defeat; and if I can speak for one, in accepting the challenge of the Senator from Alabama, I welcome the moment when we can go to the people of the United States on the issue as to who is responsible therefor.

I know, Mr. President, that in this covenant we have originally bartered American independence in order to create a league. We have traded away America's freedom of action in order to establish a supergovernment of the world, and it was never intended to be any less. I speak for one who is old-fashioned enough to believe that the Government of the United States of America is good enough for me. In speaking my reverence for the Government of the United States of America, Senators, I want the preservation of those coordinate branches of government which were conceived and instituted by the fathers; and if there is nothing else significant in the action of this day, you can tell to the people of the United States of America and to the world that the Senate of the United States has once more reasserted its authority, and representative government abides.

Mr. UNDERWOOD. Mr. President, I always enjoy listening to the Senator from Ohio. He is always a delightful speaker, plausible in his arguments, and most plausible to-night; but there are two things that I want the Record to show and have emphasized.

The Senator from Ohio insists that he and his side represent a majority of the Senate, because they commanded a majority in favor of certain reservations or amendments to the treaty of peace that he admits, and the Record clearly shows, were defeated by a majority of 16 votes when they came to be registered as the action of the Senate. Why, the Senator might as well contend, because he had offered 14 amendments to a pending bill, and his amendments had received a majority vote, although the bill itself as amended had been defeated by the Senate, that his side commanded a majority of the Senate.

On the question as to whether this treaty should be ratified unconditionally or ratified with reservations, some of us in the Senate are in favor of unconditional rejection, some of us are in favor of unconditional ratification, some of us are in favor of ratification with amendments or reservations; but that is not the issue that is presented to the American people. I should have welcomed an opportunity to vote on unconditional ratification; and if I had had the opportunity, and it was de-

feated, I should have been glad to join with my brother Senators in securing some other way and some other method of writing the peace treaty of the world. But when the proposal of the writers of these reservations is rejected, not by the constitutional majority but by an actual majority of the Senate, it is idle to say that they represent a majority of this body, and that if they can not have their way they are going to destroy the treaty.

Now, that is the issue. That is the issue. If you can not have your way, if you are defeated again—

Mr. HARDING. Mr. President, will the Senator permit an interruption?

Mr. UNDERWOOD. Surely.

Mr. HARDING. Take it out of my time if you like. Is not the converse true, that if a minority can not have the reservations that it wants, it is going to defeat the treaty?

Mr. UNDERWOOD. It has not done so yet.

Mr. HARDING. But it voted that way.

Mr. UNDERWOOD. Well, it voted its convictions. Suppose it did, that does not mean that the minority is not willing to stay here and do business, and I understand it is announced that the other side of the Chamber will not stay here and do business; that if they can not succeed, they are going to adjourn the Senate to-morrow and tell the country that they can not have a treaty of peace.

I say that if the majority party in this Chamber seeks to adjourn the Senate after it is defeated by a majority of the Senate in its proposal, without staying here and making further attempts to write a treaty of peace, it and it alone is responsible for the condition in which the country finds itself.

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him for just a moment?

Mr. UNDERWOOD. Surely.

Mr. LODGE. I merely want to relieve the Senator's mind from one anxiety. There will be no adjournment sine die, there will not even be an adjournment, if I can help it, until we vote upon the treaty again.

Mr. UNDERWOOD. I am delighted to hear that news. It relieves my spirit, because I do think we should write a treaty of peace.

Mr. LODGE. I said until we had voted on it again.

Mr. UNDERWOOD. Oh, well—

Mr. LODGE. When we vote on it again—be under no misapprehension—it is final. You can not make another motion to reconsider.

Mr. UNDERWOOD. Of course, I know that is the interpretation of the Senator, and that is what I said I understood—that he was going to put the treaty of peace before us. In all human probability it will not command an actual majority, much less a two-thirds majority, and then he is going to insist that the proposal of a minority that can not control a majority of this body shall be accepted as the final defeat of the treaty of peace of the world.

Mr. LODGE. I advise the Senator to read Rule XIII upon reconsideration.

Mr. UNDERWOOD. Oh, well, I am not engaged in discussing technical points of parliamentary law. I have no doubt the Vice President was correct in his ruling and that we can proceed, but the Senator knows that if he claims that this treaty is rejected it is his duty to notify the President—send it to the President—and when he does, if he gives the President a chance, it will be sent back here, and the peace of the world will not be stopped. The fact is that there are men in this Chamber who desire, through one method or another, to say that the treaty of Versailles shall never, in any form, become the law of the world.

Now, just one more word.

My good friend from Ohio a while ago described so accurately what has been done with the treaty of peace and the league of nations that I just want to emphasize it to the Senate. He stated that they had adopted a number of reservations, that according to his lights they had improved the treaty, and then he said, "But they left a skeleton of the league of nations for the benefit of the world." A skeleton of the league of nations. A skeleton is a dead man. They left a dead league of nations for the world to function under.

Mr. PITTMAN. Mr. President, while I have always believed that the treaty, particularly that part embracing the covenant of the league, carried with it practically all of the interpretations that were offered by the group referred to by the Senator from Ohio as the mild reservationists, I have never brought myself to the point where I would oppose this treaty, if there were reasonable reservations incorporated in the resolution of ratification. The only question that appeals to my mind to-night is this: Are there reservations included in the resolution of

ratification that will not be accepted by those Governments that must accept those reservations to make our participation under the treaty legal?

The Senator from North Dakota [Mr. McCUMBER] has stated on the floor that in his opinion Great Britain, France, and Italy can not in honor accept the committee reservation with regard to Shantung. Are there other Senators on that side who agree with the Senator from North Dakota? If so, then those Senators can not sincerely vote for this resolution of ratification, if they are in favor of the ratification of the treaty. Surely they do not desire to consummate an act that, while it will not kill the treaty to-night, will result in the death of the treaty two months or three months hence.

Those are the questions. We on this side who favor this treaty have not asked you to make any violent changes in your reservations, have we? We have asked you to make reasonable reservations, and we ask you now not to make any unnecessary reservations that will threaten the acceptance of this treaty by those Governments whose acceptance is necessary.

The Senator from North Dakota [Mr. McCUMBER], who has just been referred to by the Senator from Ohio [Mr. HARDING] as one of the most sincere advocates of this treaty, the other day begged the Members on his side of the Chamber who favor this treaty not to force this Shantung reservation upon the treaty. He went further than that. He has tried time and time again to persuade the Members on his side not to require the formal acceptance of these reservations by Great Britain, France, England, and Japan. Why? Because he believed that such requirement in the resolution of ratification endangered the acceptance of our reservations.

But it appears that those on the other side who are pretending to be for this treaty are more interested in the political situation than they are in the warnings that have been given to them by the Senator from North Dakota. I want to read what the Senator from North Dakota said about this Shantung amendment. I am reading from the Record of November 15. He said this:

Mr. President, I desire to address my remarks mainly to those Senators who really want a treaty, and a treaty that would be agreed to by the other nations. While I regret that it is just at the lunch hour, and I can not have those Senators present while that feature of the case is being presented, I feel it my duty to present it before this proposed reservation is voted upon.

We, of course, know that any change in the Shantung provision will eliminate Japan. Knowing that, we voted by a very large majority that we would not make the treaty dependent upon Japan agreeing to any of these reservations; but we did make it incumbent upon Great Britain, France, and Italy, by an exchange of notes, to agree to them. Now, Mr. President, are we sure that we are not by this reservation making it almost impossible, if not absolutely impossible, for Great Britain and France and Italy formally to assent to these reservations without compromising their own national honor and credit?

I am certain that every Senator must agree with me that if the reservation adopted by the Senate on the Shantung feature is equivalent to a rejection of the Shantung articles, then Great Britain, France, and Italy can not honorably assent to it. They can not break their war treaty with Japan.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. McCUMBER. I yield for a question.

Mr. PITTMAN. Does the Senator believe that the language of the Lodge reservation is equivalent to an expression of a rejection by the United States?

Mr. McCUMBER. I do; and I expect to show it.

Permit me to say that the Senator from North Dakota did show, beyond controversy, that the action of the Senate on the Lodge reservation with regard to Shantung was an absolute denunciation of the Shantung provision.

Has the Senator from North Dakota [Mr. McCUMBER] changed his mind in this matter? Has the Senator from Minnesota [Mr. NELSON], who has collaborated in all these treaty matters with the Senator from North Dakota, changed his mind on these matters? Has the mild reservationist from Oregon [Mr. McNARY] changed his mind with regard to these matters? Has the junior Senator from Minnesota [Mr. KELLOGG], who presented the McCumber reservations, changed his mind? No; they have not changed their minds with regard to these matters. They were bound by some understanding or some agreement, in their party affiliations. I am not saying this in any way derogatory to them whatever, but nevertheless they are now voting for these things which they formerly opposed upon principle.

But what happened? Why was the Shantung provision put into the resolution? Because a majority of the Republican members of the Foreign Relations Committee, that framed these reservations, were and are now against the treaty. They have always been against the treaty from beginning to end, and they had the power in the committee to frame reservations that in their belief would kill it. They were not able upon the floor of the United States Senate, on a straight vote, to kill the league of nations and the treaty, but they hoped to

kill it by subterfuge and they forced these reservations upon the Senate.

On the other side you cast to-night 13 votes against the resolution of ratification. You who on the Republican side favor the treaty have barely more than one-third of the Members of the Senate. You have never had a majority on the other side in favor of this treaty. We have more Members on this side in favor of this treaty; and yet you Republicans on the other side who favor this treaty, who do not constitute as many as we Democrats on this side who favor this treaty, will not stand by us in any amendment or any change that we offer to any one of these abominable reservations that were written by the "treaty killers" on the other side.

The Senator from Ohio [Mr. HARDING] says we have made no offer of a compromise. Take the very first amendment of the Senator from Massachusetts [Mr. LODGE]. The Senator from North Dakota [Mr. McCUMBER] offered an amendment. He moved to strike out all that part of reservation No. 1 after the word "ratification" in the third line.

What does that mean? With the amendment adopted as offered by the Senator from North Dakota, it would read this way:

The reservations and understandings adopted by the Senate are to be made a part and a condition of the resolution of ratification.

That is where it would have ended. It would not have been dependent upon a formal acceptance by France, Great Britain, Italy, or Japan, as it now is. Who voted for the amendment offered by the Senator from North Dakota? Every Democrat on this side, except four, voted for it. Who voted for it on the other side of the Chamber? The Senator from North Dakota [Mr. McCUMBER] and possibly the Senator from Minnesota [Mr. NELSON]. I am not sure, but I think they were the only two on the other side. Now, tell me, in fairness, was there not an effort to compromise on the part of the Senators on this side? We voted for that amendment.

But that is not all. If the Senator had had the support of the so-called mild reservationists on the other side, this reservation numbered 1, which was put into this resolution for the very purpose of killing it, would not be in the form that it is in to-night, and many of us on this side would be in a better position to vote for those reservations.

The Shantung reservation is as follows:

"7. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan."

I offered the following substitute, which was rejected:

"Provided, That in advising and consenting to the ratification of said treaty the United States understands that the German rights and interests, renounced by Germany in favor of Japan under the provisions of articles 156, 157, and 158 of said treaty, are to be returned by Japan to China at the termination of the present war by the adoption of this treaty, as provided in the exchanged notes between the Japanese and Chinese Governments of date May 25, 1915."

That is not all. You not only put the Shantung provision in here so as to offend Japan, so as to make England in honor bound to stand by Japan under her treaties, but you went further and you put a clause in here with regard to the Monroe doctrine that to-day is arousing the press of South America.

Why did you put that in there? You put it in there because the members of the Foreign Relations Committee on the Republican side are opposed to any league of nations or any treaty at all, and to-night they proved it by their votes; and after they put it in there you did not have nerve to stand against the leaders of your own party, or you would have taken it out. That is all it amounts to. You had a chance to take it out on the floor of the Senate.

You say that the Democrats have made no attempt to compromise on reservations. There was a reservation offered in place of the Monroe doctrine reservation. That reservation was drawn by the Senator from North Dakota [Mr. McCUMBER] and concurred in by all the mild reservationists on the other side. I offered that in the very language in which it was prepared by the mild reservationists on the other side, and how did the vote stand when it came to a vote? There were 55 against it and 35 for it, and the only votes for it, outside of the vote of the Senator from North Dakota, were of the Senators on this side. The Democrats, if they had had the support of the so-called mild reservationists on the other side, would have carried the substitute of the mild reservationists for the reservation of the majority on the other side with regard to the Monroe doctrine.

I ask consent to place that in the Record without reading it. The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Without objection, it is so ordered.

The committee Monroe doctrine reservation is as follows:

"6. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace. "Any questions which in the judgment of the United

States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany."

Mr. HITCHCOCK. Mr. President, I offer the following substitute for reservation numbered 6.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

"That the national policy of the United States known as the Monroe doctrine, as announced and interpreted by the United States, is not in any way impaired or affected by the covenant of the league of nations and is not subject to any decision, report, or inquiry by the council or assembly."

Mr. PITTMAN. I offer the following amendment as a substitute for reservation numbered 6.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

"The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which in the judgment of the United States, depends upon or involves its long-established policy commonly known as the Monroe doctrine, and it is preserved unaffected by any provision in the said treaty contained."

The Secretary read as follows:

"The following notice is presented by Mr. SMITH of Georgia to be read in compliance with the provisions of rule 22, applicable to closing debate:

"Second. Amend the sixth reservation by striking out the words 'Is to be interpreted by the United States alone and.'"

All the foregoing substitutes were rejected.

Mr. PITTMAN. That is not all. All the way through, from the very beginning to the end, there were offered on the other side by the Senator from North Dakota [Mr. McCUMBER], or there were offered on this side by the Senator from Nebraska [Mr. HITCHCOCK] or other Democratic Senators, substitute reservations for practically every reservation offered by the majority, and in nearly every case those reservations which were offered as substitutes were the reservations that had been prepared by the so-called mild reservationists on the Republican side, and yet the Democrats are said not to have offered any opportunity for compromise. The Democrats voted for them in every case, while the Republicans voted against them in every case.

I contend now, and the Record will disclose, that every reservation contained in the Republican resolution of ratification was dictated and framed by the identical men who voted to-night to kill the treaty. There was not a case but what, if those men had not voted against the substitutes for the Republican reservations, the substitutes would have carried.

Mr. PENROSE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Pennsylvania?

Mr. PITTMAN. For a question.

Mr. PENROSE. I would like to ask the Senator what profit there is in explaining to the Senate how Republicans voted according to their convictions, when every Democrat voted under orders from the White House?

Mr. PITTMAN. I was in hopes, Mr. President—

Mr. THOMAS. Mr. President, I deny that.

Mr. PENROSE. The Senator from Colorado is about the only one who can deny it.

Mr. THOMAS. I deny that also.

Mr. PITTMAN. I am very sorry that the Senator from Colorado took up my time to reply, because any remarks made by the Senator from Pennsylvania do not require any answer whatever in times like these.

I simply am going on to show, if you please, that we offered a compromise reservation for practically every reservation offered by the "treaty killers" on the other side, and that the Democrats voted for such compromises every time, and they got no help from the other side. I want to tell you that in every case of a compromise reservation, the substitute for the reservation of the committee would have been adopted except for the 13 votes of the Republican Senators who are now openly against the treaty and who always have been against it.

Mr. WILLIAMS. Any treaty.

Mr. PITTMAN. And every league of nations. Yet on the other side there is a pretense on the part of some Senators that they are sincerely in favor of the adoption of this treaty and the league of nations, with reservations. They have most consistently and persistently refused to accept any form of reservation that in their opinion would tend to the ratification of this treaty.

Does anyone charge, in his own mind, the Senator from Idaho [Mr. BORAH] with ever desiring to vote for a reservation that, in his opinion, would aid in the ratification of this treaty? Does anyone believe that the Senator from Pennsylvania [Mr. KNOX] ever helped frame these reservations in the Committee on Foreign Relations for the purpose of facilitating the ratification of this treaty? Yet it was those men, the Senator from Pennsylvania [Mr. KNOX], the Senator from Idaho [Mr. BORAH], the Senator from California [Mr. JOHNSON],

and the Senator from New Hampshire [Mr. MOSES] who in the Committee on Foreign Relations used all of their great skill as international lawyers to frame this beautiful thing that is now laid before us.

Yet we have the Senator from Ohio, in that suave, easy, gentle manner of his, saying, "We have laid something before you—something good."

The idea of a reservation which would aid in the ratification of this treaty receiving the vote of the Senator from Idaho [Mr. BORAH]. To suggest such a thing would be an insult to the Senator from Idaho that I would not participate in for one single moment.

When you unmask all of the hypocrisy surrounding this whole transaction, when you see the leaders of the great Republican Party, representing the people of this country, pretending that they are doing everything in God's world to ratify a treaty, and at the same time you see them call to their aid to prepare the reservations the men who are killing the treaty, and you see them acting with them for the purpose of defeating amendments of Senators like the Senator from North Dakota [Mr. McCUMBER], who they admit are honestly for the treaty, their interest and sincerity and consistency at least are open to suspicion on the part of the people of the country.

But they say that we have offered no compromise. I say to you that we have offered compromises on the floor of the Senate which even the Senator from North Dakota would admit would have been accepted two months ago. Why will they not be accepted to-day? Conditions have not changed in the world. The reservations are just the same. The reasons they will not be accepted to-day, and he will admit it, are purely political reasons, and nothing else on earth. Then if he will not accept them on the ground of political reasons he need not appeal to us on the high ground that they are trying to ratify a treaty with those countries for the sake of humanity throughout the world.

I ask leave to print in the RECORD as a part of my remarks these various amendments that were offered and voted down, so as not to take up the time to read them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

1. The reservations and understandings adopted by the Senate are to be made a part and a condition of the resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of said resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.

Mr. McCUMBER offered following substitute:

The SECRETARY. It is proposed, in what is known as reservation No. 1, in line 3, after the word "ratification," to strike out the remainder of the reservation in the following words:

"Which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of said resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan."

Mr. McCUMBER. Mr. President, in the first reservation I move to strike out all after the word "ratification," where it first occurs, in line 3, down to the end of the reservation, and to insert in lieu of the words stricken out the following:

"The acceptance of such reservations and understandings by any party to said treaty may be effected by an exchange of notes."

Mr. BORAH. On line 7 I move to strike out the words "three of," so that the reservations will read that the reservations and understandings adopted by the Senate must be accepted "by at least the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan."

Mr. KING. Mr. President, I offer the following amendment to the paragraph under consideration: Insert, after the word "ratification," on line 7, the following words:

"Or by participating in any of the proceedings authorized by said treaty."

So that it will read:

"The reservations and understandings adopted by the Senate are to be made a part and a condition of the resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of said resolution of ratification or by participating in any of the proceedings authorized by said treaty."

And so forth.

Mr. KING. Mr. President, upon further consideration of the amendment submitted a few moments ago, I am inclined to think the suggestion made by the distinguished Senator from Wisconsin [Mr. LAMMONT] indicates that there was quite a serious imperfection in that amendment. I offer this as a substitute for it:

"Or by recognizing the United States as a party to the treaty."

So that it will read:

"Which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of said resolution of ratification, or by recognizing the United States as a party to the treaty, by at least three of the four principal allied and associated powers, to wit—"

And so forth.

The SECRETARY. Reservation of the committee No. 7 is as follows:

"7. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan."

Mr. McCUMBER. I read the substitute. The offer is of my No. 1 of that which was printed the other day:

"The United States refrains from entering into any agreement on its part in reference to the matters contained in articles 156, 157, and 158, and reserves full liberty of action in respect to any controversy which may arise in relation thereto."

Mr. PITTMAN (offers substitute).

The Secretary read as follows:

"Provided, That in advising and consenting to the ratification of said treaty the United States understands that the German rights and interests, renounced by Germany in favor of Japan under the provisions of articles 156, 157, and 158 of said treaty, are to be returned by Japan to China at the termination of the present war by the adoption of this treaty as provided in the exchanged notes between the Japanese and Chinese Governments of date May 25, 1915."

Mr. PITTMAN. I call for the yeas and nays.

The Secretary read committee reservation numbered 8, as follows:

"8. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the league of nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law, no person shall represent the United States under either said league of nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder, and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences except with the approval of the Senate of the United States."

The VICE PRESIDENT. The Secretary will read reservation numbered 9.

The Secretary read as follows:

"9. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference."

The VICE PRESIDENT. The Secretary will read reservation numbered 10.

The Secretary read as follows:

"10. The United States shall not be obligated to contribute to any expenses of the league of nations, or of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the league of nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States."

The SECRETARY. Reservation No. 11:

"If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the league of nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war."

The Secretary read as follows:

"12. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the league of nations, residing within the United States or in countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States."

"13. Nothing in articles 296, 297, or in any of the annexes thereto, or in any other article, section, or annex of the treaty of peace with Germany, shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States."

"14. The United States declines to accept, as trustee or in her own right, any interest in or any responsibility for the government or disposition of the overseas possessions of Germany, her rights and titles to which Germany renounces to the principal allied and associated powers under articles 119 to 127, inclusive."

The SECRETARY. Reservation No. 15, which will now become No. 14, is as follows:

"14. The United States reserves to itself exclusively the right to decide what questions affect its honor or its vital interests and declares that such questions are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations or any agency thereof or to the decision or recommendation of any other power."

[Rejected.]

The SECRETARY. On page 2 of the bill-size print, line 4, the following reservation:

"3. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide."

Mr. THOMAS. Mr. President, I desire to offer as a substitute for the third reservation, just read, the second reservation heretofore offered by the senior Senator from North Dakota [Mr. McCUMBER], found on page 15 of Senate Document 150, which I will ask the Secretary to read.

The VICE PRESIDENT. The Secretary will read:

The SECRETARY. Reading from page 15 of star print of Document 150, line 7, as a substitute for the proposed reservation just read, the following:

"2. That the suggestions of the council of the league of nations as to the means of carrying the obligations of article 10 into effect are only advisory, and that any undertaking under the provisions of article 10, the execution of which may require the use of American military or naval forces or economic measure, can under the Constitution be carried out only by the action of the Congress, and that the failure of the Congress to adopt the suggestions of the council of the league or to provide such military or naval forces or economic measures shall not constitute a violation of the treaty."

Mr. BORAH. I send to the desk a substitute, which I offer in lieu of reservation numbered 3, as reported by the committee.

The PRESIDENT pro tempore. The Secretary will report the amendment proposed by the Senator from Idaho.

The SECRETARY. In lieu of the reservation reported by the committee known as reservation numbered 3, substitute the following:

"3. The United States assumes no obligation, legal or moral, under article 10 and shall not be bound by any of the terms or conditions of said article."

Mr. WALSH of Montana. Mr. President, I move to strike out from the reservation the following words, appearing in lines 11, 12, and 13, on page 2, namely, "or authorize the employment of the military or naval forces of the United States."

Mr. WALSH of Montana. I ask that the amendment which I send to the desk may be read.

The PRESIDENT pro tempore. The amendment offered by the Senator from Montana will be stated.

The SECRETARY. It is proposed to add at the end of reservation No. 3 the following:

"And the United States hereby releases all members of the league from any obligation to it under article 10 and declines to participate in any proceeding by the council authorized thereby."

Mr. KING:

The SECRETARY. It is proposed to strike out from the last portion of the amendment offered by the Senator from Montana these words:

"And declines to participate in any proceeding by the council authorized thereby."

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Montana, and then the amendment as it would read if the amendment proposed by the Senator from Utah were adopted.

The SECRETARY. The Senator from Montana proposes to add, at the end of what is known as reservation No. 3, the following:

"And the United States hereby releases all members of the league from any obligation to it under article 10, and declines to participate in any proceeding by the council authorized thereby."

The Senator from Utah proposes to strike out the words "and declines to participate in any proceeding by the council authorized thereby," so that, if amended, the amendment will read, "and the United States hereby releases all members of the league from any obligation to it under article 10."

The SECRETARY. The Senator from Colorado [Mr. THOMAS] proposes the following amendment to the proposed committee reservation No. 3, as follows: On page 2, line 4, after the word "obligation," insert the words "beyond the expiration of five years from the ratification of this treaty," so that if amended the paragraph will read:

"The United States assumes no obligation beyond the expiration of five years from the ratification of this treaty to preserve the territorial integrity or political independence of any other country."

Mr. WALSH of Montana:

The SECRETARY. Add at the end of the proposed reservation No. 3 the following:

"Provided, however, That the United States assumes for the period of five years with other members of the league, the obligation of said article 10 as to the following Republics, to wit: Poland, Czechoslovakia, and the Serb-Croat-Slovene State."

Mr. McKELLAR:

The SECRETARY. Add at the end of the proposed reservation of the committee No. 3 the following:

"Provided, however, That the United States assumes for the period of five years with the other members of the league the obligation of said article 10 as to the Republic of France in maintaining her sovereignty over Alsace-Lorraine."

Mr. HITCHCOCK. To that reservation I offer the following substitute. The PRESIDENT pro tempore. The Secretary will state the proposed substitute.

The SECRETARY. In lieu of the words proposed by the Committee on Foreign Relations known as reservation No. 3 insert the following:

"That the advice mentioned in article 10 of the covenant of the league which the council may give to the member nations as to the employment of their naval and military forces is merely advice which each member nation is free to accept or reject, according to the conscience and judgment of its then existing government, and in the United States this advice can only be accepted by action of the Congress at the time in being, Congress alone under the Constitution of the United States having the power to declare war."

Mr. OWEN:

The SECRETARY. In lieu of reservation numbered 3, proposed by Mr. LODGE, the Senator from Oklahoma offers the following substitute:

"The United States in assuming the obligation to preserve the territorial integrity or existing political independence of any other country, or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States, does so with the understanding that the advice or recommendation of the council or assembly under articles 10 and 15 is purely advisory and absolutely subject to such judgment and action as the Congress of the United States may find justified by the facts in any case submitted."

Mr. HITCHCOCK. Mr. President, while Senators who are supporting the pending reservation seem to be voting more because of pledges than from preference, I desire to offer what I send to the desk, to be added to the pending reservation proposed by the Senator from Massachusetts [Mr. LODGE], and to say that its author is the Senator from Pennsylvania [Mr. KNOX].

The PRESIDENT pro tempore. The Secretary will state the amendment proposed to the reservation by the Senator from Nebraska.

The SECRETARY. As an addition to reservation No. 3 it is proposed to add:

"But, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization."

Mr. GORE:

The SECRETARY. On line 14, after the word "freedom," it is proposed to insert the words "of the seas and the freedom," so that it will read:

"But, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom of the seas and the freedom and peace of

Europe being again threatened by any power or combination of powers."

"6. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the league of nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany."

Mr. HITCHCOCK. Mr. President, I offer the following substitute for reservation numbered 7.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

"That the national policy of the United States known as the Monroe doctrine, as announced and interpreted by the United States, is not in any way impaired or affected by the covenant of the league of nations and is not subject to any decision, report, or inquiry by the council or assembly."

Mr. PITTMAN. I offer the following amendment as a substitute for reservation numbered 6.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

"The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy commonly known as the Monroe doctrine, and it is preserved unaffected by any provision in the said treaty contained."

The Secretary read as follows:

"The following notice is presented by Mr. SMITH of Georgia to be read in compliance with the provisions of rule 22, applicable to closing debate:

"Second. Amend the sixth reservation by striking out the words 'Is to be interpreted by the United States alone and.'"

Mr. PITTMAN. I simply want to say this in conclusion, because my time is nearly up, that if Senators on the other side who favor the treaty—and I do not know how many of you there are, and I doubt if there are very many of you—if those of you there who are honest and sincere, if those of you there who hold your country above your party, are willing to join us on this side, I feel assured we can get you enough votes to ratify this treaty with reservations that you yourselves would have accepted two months ago.

If you had adopted the amendment of the Senator from North Dakota with regard to the preamble, if you had adopted his suggestions with regard to article 1, if you had adopted his reservation with regard to the Monroe doctrine, if you had adopted his first suggestion with regard to Shantung, which I offered as a substitute, although there is very little left of the original covenant, and while we are simply standing in the league as advisors, and while we have thrown off the burden of responsibility, there would be something left that possibly when we come into our own senses we could later rectify.

It would be the foundation upon which Republicans and Democrats later on could build a better edifice than the Republican Party have left. Change it in those particulars and I will vote for your reservations, and I will vote for your resolution of ratification, bad and insignificant and destructive as it is.

On the other hand, if you do not cut out of the resolution of ratification those reservations that you know will destroy the treaty, if you persist in that fraud upon the American people and that fraud upon the world, then I tell you there are enough fearless Democrats on this side of the Chamber to prevent its ratification until the American people understand. We may adopt the policy of isolation, and profit; we may decide to remain in an existence of selfishness, greed, and war, but we will not stand for national cowardice, pretense, and dishonesty.

The PRESIDING OFFICER. The question is upon the resolution of ratification—

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TRAMMELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McKellar	Smith, Ga.
Ball	Haile	McLean	Smith, Md.
Bankhead	Harding	McNary	Smith, S. C.
Beckham	Harris	Moses	Smoot
Borah	Harrison	Myers	Spencer
Brandegee	Henderson	New	Stanley
Calder	Hitchcock	Newberry	Sterling
Capper	Johnson, Calif.	Norris	Sutherland
Chamberlain	Jones, Wash.	Nugent	Swanson
Colt	Kellogg	Overman	Thomas
Cummins	Kendrick	Page	Townsend
Curtis	Kenyon	Penrose	Trammell
Dial	Keyes	Phipps	Wadsworth
Dillingham	King	Pittman	Walsh, Mass.
Edge	Kirby	Poincxeter	Walsh, Mont.
Elkins	Knox	Reed	Warren
Fernald	La Follette	Robinson	Watson
Fletcher	Lenroot	Sheppard	Williams
France	Lodge	Sherman	Wolcott
Frelinghuysen	McCormick	Shields	
Gay	McCumber	Simmons	

The PRESIDING OFFICER. Eighty-two Senators have answered to the roll call. There is a quorum present.

Mr. FLETCHER. Mr. President, in reference to the resolution now before the Senate, it must be distinctly understood that those who oppose the resolution in its present form are not thereby committed to the proposition that they are opposed to any reservations whatever to the treaty. It must be understood that there are reservations involved in the resolution which are regarded by those who are friendly to the treaty as unobjectionable.

There are quite a number among the friends of the treaty, I am sure, who would really raise no question concerning quite a few of the reservations embodied in the present resolution, but it is perfectly plain also that the resolution includes reservations which make it as it stands practically destructive of the very life and heart of the treaty, and it is on that account that many of us—I do, speaking for myself—find ourselves utterly unable to support the resolution.

It seems to me an illustration may be made of the position in which the United States is sought to be put by this resolution by this simple statement: Suppose four gentlemen on the other side and I are about to enter upon an important enterprise. Certain arrangements are needed—the supply of a small amount of capital with certain supervision and direction, details of management to be provided, and certain obligations are to be incurred. Finally the agreement is reduced to writing and it is submitted to each of us. The four parties sign it and then bring it to me.

I say I am perfectly willing to enter into this arrangement. I make this contract with you; I embark upon this great enterprise with you, but upon the condition and the understanding that I am to get out when I get ready; that I am to do what I like to do about it; that I will pay in as much capital as I see fit to put in; that I will cancel all obligations when I get ready to cancel them; that I am to be the sole judge of when I shall rescind that contract and in what way I shall recede from it and the right to abandon the undertaking when I like.

In an ordinary, everyday business transaction if that sort of proposition were put up as between five men, the other four men would have absolutely no respect whatever for the selfish individual who desired to have entirely in his control and at his own option the right to quit whenever he desired and to determine for himself alone on what terms and conditions he would get out or continue. No man with decent self-respect would put himself into such a position. No individual with any sense of justice and honor and duty and proper consideration for his associates would undertake to make such a contract with his fellow citizens. It would be regarded as a rank absurdity to even offer to enter into covenants whereby one of the parties would reserve to himself the unconditional and absolute determination as to how much he would contribute to the joint enterprise; that if it proved profitable and worth while he would go on with it; but if there were troubles and difficulties ahead he would get out whenever it suited him to do so. Such a proposition as that would in itself brand any individual who suggested it as selfish and designing, if not dishonest, and certainly as unreliable and untrustworthy.

That is the position the movers seek or propose to put the United States in under this resolution; that is what is offered to all our associates and allies with whom we have joined forces in conducting to victory the greatest war since the beginning of time, with whom we ought yet to be cooperating, and to whom we still owe debts of gratitude and everlasting sympathies.

You wish to say to them, "We are willing to enter upon this contract and this arrangement so as if possible to secure the peace of the world, in order that we may, if we can, carry out our original purpose and undertaking when we entered the fight, namely, to secure a righteous and permanent peace"; that is what we said we would do; not only secure a righteous peace, but a permanent peace as the ultimate goal. We say to our associates, "We are willing that you shall put in all of your resources; that you shall bind yourselves; that you shall contribute whatever is needful on your part to protect humanity against such a calamity in all the years to come, and we will go with you just as far as we see fit to go; we will quit you whenever we like to quit you; we will abandon the enterprise if for any reason it occurs to us to be to our interest to do so, or whenever there are any problems or difficulties ahead that we do not care to be responsible for or to solve or overcome. We will notify you now that we will determine for ourselves when we are free and at liberty to abandon you, and we will abandon you whenever we desire so to do without regard to your interests or obligations."

I say that is an undignified position to occupy before the world. It is not honest; it is not just; it is not fair; it is not the part that any responsible nation ought to play in the affairs of mankind. It is based upon the idea that international affairs,

so far as we are concerned, constitute a game of solitaire, and we will play it alone. We do not propose to deal any cards to any other people in the world in the conduct of this game. The attitude now assumed is consistent with that idea; it is utterly selfish.

I shall not take up the time to argue the reasons why I think the treaty ought to be ratified, and this league ought to be approved, but from that standpoint alone I would appeal to every Senator upon this floor—and I think it would meet favorable response in the breast of every American in the land—that we say to our friends, "This is an important enterprise; it is worthy your contribution and our contribution; we have been with you up to this time; we will go with you to the end; we will endeavor to do our part, and we will not shirk any responsibility; we will not ask anything for ourselves that we are not willing to give to you, and we will go on and try this experiment out in the effort to see that there shall never again come to the world such destruction of life and property, such distress and suffering as we have just gone through with."

Mr. President, seven and a half millions of the bravest and best young men of the world lie buried, killed in battle; over 10,000,000 more are crippled and maimed and wounded, and \$186,000,000,000 has been the cost in dollars and cents up to this time. Do we sit idly here contemplating the possibility of continuing upon a plan of competitive armaments looking again to a war that must come because we assume it can not be avoided? Ought we not make every effort on our part at least to see to it that so far as it can be accomplished we shall put an end to that sort of thing in the future?

So I say, Mr. President, that it is a great pity, in my judgment, that the resolution proposes to put this country in such a selfish, domineering, inexcusable, indecent attitude before the world; and it is a pity that at this time we are unwilling to forego this determination to accomplish a plan which was determined upon when the Foreign Relations Committee was appointed at the beginning of this session; that we are unwilling to proceed to do our best here instead of relying upon technicalities and parliamentary this and parliamentary that in order to stifle a full and fair expression of views upon this floor; that we are unwilling to do what this great occasion demands of every Senator who loves his flag, who loves his country, and who has a feeling of good will toward his fellow men everywhere.

Mr. President, I ask unanimous consent to have printed in the Record as a part of my remarks, without reading, a clipping from the Post with reference to the cost of the war.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

COST OF WAR \$337,112,542,530—ESTIMATE REACHED IN REPORT OF CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

The first comprehensive report on the direct and indirect costs of the war has just been made by the Carnegie Endowment for International Peace and published in a volume of that title. After taking each of the countries separately on both sides and summarizing the total direct and total indirect costs, the report gives the direct cost as \$186,000,000,000, and states that the indirect costs "have amounted to almost as much more."

The capitalized value of soldier human life, which is given among the "indirect" costs, is placed at \$33,551,276,280. The property losses are divided as follows: On land, \$29,960,000,000; on sea, \$6,800,000,000. Loss of production is an indirect cost of the war, which has meant to the nations \$45,000,000,000. War relief added \$1,000,000,000. The loss to neutrals through indirect cost is placed at \$1,750,000,000. Total indirect costs to all nations, including neutrals, is \$151,612,542,530.

The report was gathered from reliable sources by Ernest L. Bogart, professor of economics, University of Illinois. Estimating the "capitalized value of human life," he fixes the worth of the individual at figures ranging from \$2,020 in Bulgaria, Turkey, Greece, Japan, Roumania, Serbia, and several other countries up to \$4,720 for the United States, where the economic worth of the individual to the nation is placed at the highest.

In addition to the \$33,551,000,000 given as the economic worth of those who lost their lives or were injured in actual warfare, an equal amount is allowed for civilian losses. The number of known dead is placed at 9,998,771 and the presumed dead at 2,991,800.

Mr. OWEN. Mr. President, I wish to call the attention of the Senate to an analysis of the vote on this resolution of ratification. There were 55 votes against the resolution of ratification. Of that number 13 Republicans voted against it because they were hostile to the treaty on any basis whatever; two others, whose position I am not absolutely clear about, supported that position, leaving 40 who voted against that form of resolution who really are in favor of the treaty, and nearly all of them—I think all of them without exception—are willing to agree to some kind of reservations of an interpretative character, and some of them may go further than that. On the other side there were 39, of whom 4 were Democrats, who voted for the somewhat extreme reservations of the so-called Lodge resolution. Those 39 Senators added to the 40 Senators makes 79 Senators who, so far as this vote is concerned, are in favor of the treaty

with reservations of some kind. This body can be controlled by a majority, and that 79 far transcends a majority. If they will, those who have voted for the reservations can cooperate with those who are not willing to accept reservations going so far, and it is a question merely of the adjustment of differences of opinion. It seems to me that the 39 Senators who voted for the resolution with its reservations can hardly be expected to be regarded as earnest friends of the treaty itself if they refuse to permit a parliamentary method by which the differences may be conciliated and adjusted.

We are now face to face with a parliamentary situation under which the leader on the other side of the aisle has brought about an impasse, and we are informed that we must either vote for the treaty and the covenant with these objectionable reservations or the whole matter will be disposed of; in other words, it is a proposal to coerce the 40 Senators on this side who are in favor of the treaty and in favor of adjusting these differences by 39 on the other side, cooperating with, or some of them on that side cooperating with the irreconcilable enemies of this covenant. I merely wanted to put that analysis in the Record.

Mr. STERLING. Mr. President, as a friend of the treaty and of some league of nations, I think I am qualified to speak briefly in reply to some of the suggestions made by the Senator from Oklahoma, as well as the suggestions made by other Senators.

It seems to me, as I have listened to this discussion, that the opposition to the reservations already adopted arises largely out of a contention for mere form and a mere form of words—a form of procedure and a form of words.

Take the preamble of the reservations. It provides that acceptance of the reservations shall be signified by an exchange of notes by three of the allied powers. It is simply, then, a question of the form of acceptance. Shall it be by acquiescence in acts or conduct, or the acquiescence that arises after the lapse of a long period of time, in which we will be uncertain as to what will be done by the allied powers in regard to these reservations; or shall the acceptance be signified by an exchange of notes?

That is the difference. I agree with the committee that the acceptance should be by an exchange of notes, whereby we and the world would know, and would know speedily, as to whether or not these reservations were agreed to.

The other side, those who oppose this preamble, must have an acquiescence. They will agree that there must be an acquiescence to these reservations, but they want it to rest in conduct, in acts, or in lapse of time. Which is the better for all parties concerned—the acceptance by acquiescence or the acceptance by an exchange of notes?

I want to ask Senators on the other side who oppose this first reservation, the preamble, if they, on such a slight pretext, are willing to imperil so great a cause?

Mr. OWEN. Mr. President, I should like to say on my own behalf that I believe that agreeing to that would result in a defeat of the treaty itself, and for that reason we would not get the peace which I believe we all desire.

Mr. STERLING. Mr. President, I can not agree with the Senator from Oklahoma for a single moment in that respect. I think that the allied powers would be only too glad to make the exchange of notes, signifying their acceptance of these reservations and our joining with them in this treaty.

Now, Mr. President, to call attention to another point, to show that this is largely a mere matter of words and form for which those opposed to these reservations are contending: Now, I refer to the reservations with regard to withdrawal, and I quote here and read into the RECORD the reservation of the Senator from North Dakota [Mr. McCUMBER]. The opposition has been inclined to look very favorably upon the reservations proposed by him:

That the United States understands, and so construes article 1, that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled.

The only addition—the rest is in substance almost word for word the same—the only addition in the committee reservation is this:

And notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

A word here in passing in regard to this reservation relating to withdrawal, and in answer to the Senator from Florida [Mr. FLETCHER]. He thinks that we are practically out of the league, that we are not doing our share under the terms of that reservation, in saying we will quit when we please. We want, Mr. President, to be in that position. This principle is involved—the principle of national sovereignty. If we can not determine when we have fulfilled our obligations but must leave it to this superpower, the council of the league of nations, we have lost

so much of our sovereignty, and it is one of the greatest attributes of sovereignty, I think, that a nation may determine its international relations and when it has fulfilled its obligations to the other nations of the world. I think it essential that we should preserve the reservation in regard to withdrawal.

Who shall give a notice of withdrawal, the Executive of the United States, or Congress by joint resolution, or Congress by concurrent resolution? What will be the situation, Mr. President? Our representatives on the league of nations, in the assembly, and in the council, will be the appointees of the President of the United States. A joint resolution here to withdraw from the league of nations might be vetoed by the President. It might be vetoed on representations made by his appointees on the council of the league of nations, or the league, or the assembly; and I think it highly important that it should be left to Congress alone, who represent and speak for the people of the United States, to determine whether or not we shall withdraw from the league of nations.

Now, Mr. President—I will be very brief—I come to the next, the second, reservation. I want to read into the RECORD here three different forms of reservation. One Senator, the distinguished Senator from Minnesota [Mr. KELLOGG], this morning began that good work, but did not conclude it; and I intend that these three different forms of reservations shall be read here in the RECORD together. I have before me the one proposed by the Senator from Nebraska [Mr. HITCHCOCK]. It reads as follows:

The United States does not assume an obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, until in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

That was proposed by the leader on the minority side and the leader of the discussion on that side. He must have believed in it or he would not have proposed it for discussion and consideration here.

In this same connection I want to read the reservation on this same subject proposed by the Senator from North Dakota [Mr. McCUMBER]. We will see how brief, in substance or in essence, they differ:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military and naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military and naval forces of the United States, shall, by act or joint resolution, so declare.

In substance it is the same as the reservation proposed by the Senator from Nebraska.

Now I am going to read the reservation, which has already been adopted, proposed by the committee:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

In every element the three reservations are the same. It is left at last to the determination of Congress as to whether or not we shall intervene in any European controversy under the provisions of article 10 of the covenant.

Mr. President, they say that is the heart of this covenant. It has been the storm center of this discussion, and yet here are the three reservations substantially the same. Where will be the responsibility for the defeat of this treaty if it depends upon how we construe these reservations in regard to the most vital feature of the covenant and of this discussion? Where will the responsibility be?

Mr. President, it has been urged that there is a great moral obligation under article 10. If I remember correctly the interview between the members of the Foreign Relations Committee and the President of the United States, he said that it was simply a moral obligation that it imposed; that it had no legal sanctions; and for that reason was a moral obligation only. I agree with the President. It is a moral obligation. But, Mr. President, where else may we find a moral obligation? We will find the most sacred moral obligation growing out of the issue of peace or war, the issue that arises when the question comes as to whether or not the United States will intervene in any controversy between European nations or any controversy relating to the territorial integrity or political independence of

any other nation. Would the maintenance of the status quo, for example, between any nation and its colonies or its dependencies lead to a system of oppression and injustice? Would we be obliged, Mr. President, under the moral obligation imposed by article 10 to further a system of inequality, oppression, and injustice?

It is for that reason, Mr. President, that we decline to subscribe to article 10, and provide that until Congress has so declared we shall not intervene with armed forces or by resort to economic pressure to bring any alleged recalcitrant nation to terms.

Mr. President, the controversy in which we are asked to intervene is the soul of the thing, not the mere obligation to protect the political independence or territorial integrity of another nation member of this league, but the character of the controversy determines whether or not there is a moral obligation or not for us to go to the aid of another nation which complains that its territory is invaded or its political independence is menaced. It is then that Congress in its deliberations will test the question as to whether it is right or wrong for the United States to equip an army for foreign service and go to war. Is it just, or will it work injustice? Is it moral or unmoral for us to intervene?

We could not subscribe for a moment, Mr. President, to the idea of guaranteeing the political independence and the territorial integrity of any other nation in the world unless we knew what the issues at stake were, what questions of morals are involved.

The determination of our attitude should necessarily rest in the hands of Congress. So, Mr. President, to this extent it is plain that the objections made by the other side, who seek to charge us with the responsibility of defeating this treaty, are not objections to salient and essential things in the reservations but are objections of mere form or as to phraseology.

I ask again, how can you on a pretext so slight as that which you have so far offered imperil a cause so great and important as that involved in the ratification of this treaty?

Mr. LENROOT. Mr. President, before the vote is taken I wish to say just a word.

Much has been said concerning compromise and negotiation. The Senator from Nebraska [Mr. HITCHCOCK] this evening said that as to many of the reservations it was a mere matter of form, but that the reservation upon article 10 was vital, that it cut the heart out of the league.

I want to say to the other side that that reservation, as most of the other reservations, was drawn not by the enemies of the treaty but by its friends, and article 10 being the crucial point of difference between the two sides of the aisle, upon that article there can be no compromise, there can be no negotiation that will change the substance of that reservation. If the other side of the aisle and the President of the United States desire a ratification of the treaty they must take the reservation upon article 10 in substantially its present form.

That being true, there can be no advantage or good accomplished by further negotiation or talk about compromise. We might as well settle it now.

Mr. POMERENE. Mr. President, it is indeed very distressing to me to hear a Senator of the United States say, in this crucial hour of the world's history, that there can be no compromise. I dislike to think that when we are considering a treaty which was intended to bring to an end all hostilities in the world growing out of the war, and which has already been ratified by four of the great powers of the world—namely, Great Britain, France, Italy, and Japan—when everything is in the balance, the Senator from Wisconsin [Mr. LENROOT] should notify the American people that there can be no compromise. To what extremes have we come politically that we dare to thus jeopardize the peace of the world?

My distinguished colleague [Mr. HARDING], for whom I have the profoundest respect, in an eloquent speech which he made a short time ago in substance said that these reservations were prepared by the committee as friends of the treaty.

Senators, let me call your attention to the personnel of the Republican side of the Committee on Foreign Relations. Bear in mind that it is said that these reservations were prepared by the friends of the treaty, and yet when it comes to the ratification of this treaty with these reservations contained in it, out of the Republican membership of that committee Senator BORAH, Senator BRANDEGEE, Senator KNOX, Senator JOHNSON of California, and Senator MOSES all voted against these reservations, which the Senator from Wisconsin says were prepared by the friends of the treaty.

Mr. SMITH of Arizona. If the Senator will permit me, he has left one out. Senator FALL also was against the treaty.

Mr. POMERENE. Yes. I was going to refer to him. Senator FALL, though he was not here to vote, made the statement upon the floor of the Senate that he was opposed to the treaty.

Mr. LENROOT. Mr. President, will the Senator yield? I will be glad to have him answer out of my time.

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. POMERENE. I yield.

Mr. LENROOT. Does the Senator know that not one of the reservations that have been discussed to-night was prepared by any of those gentlemen he has named?

Mr. POMERENE. Mr. President, I know what reservations were reported by that committee. There were 15 of them reported by that committee to the Senate for its consideration. It may be that some of the Senators who were friends of the treaty were consulted as to the final form of the reservations. I will not question that statement. But how often have there been conferences between the mild reservationists on the other side of the Chamber and those who favor the treaty on this side of the Chamber? And when I make that statement I am not finding more fault with the Members on the other side of the Chamber than I am with some Members on this side of the Chamber. I have long been of the opinion that there ought to be a compromise, and I say now there ought to be a compromise.

Senators, it is proposed to-night to insist upon a vote upon the Lodge resolution, and then Senators take the position that because we have voted the second time upon it, from a parliamentary standpoint we are foreclosed from taking any other action. My distinguished colleague said, in answer to the Senator from Alabama [Mr. UNDERWOOD], "We are willing to go to the country upon that issue." I say to him, and to all others who think like him, we will meet you at Philippi on that proposition.

Mistake not, Senators. The American people, who spent nearly \$20,000,000,000, who raised an army of 4,000,000 of soldiers, and left 50,000 of their best sons on the battle fields of France and of Flanders, are not going to be deceived by parliamentary tactics.

Mr. PENROSE. Mr. President—

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I yield.

Mr. PENROSE. I am curious to know whether Philippi is located in Oklahoma, where the recent congressional contests were held. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries have been warned sufficiently, so that if they want to obey the rules of the Senate they can. As there is no way to distinguish the good from the bad, the Chair will be obliged to have all punished pretty soon.

Mr. POMERENE. Mr. President, for aught I know Philippi may be located in the City of Brotherly Love.

Mr. PENROSE. I do not recall any such place in Pennsylvania. There is one in New Jersey that I remember, and, I suppose, in Oklahoma, and in Kentucky.

Mr. POMERENE. It may be in any of those States, but I suspect it will be in all of those States where Senators who have been fighting this treaty present themselves for reelection.

Mr. President, are Senators going to be satisfied that they have exhausted all means of coming together so that we may get the necessary two-thirds to ratify this treaty? Do Senators who come from sovereign States believe that their people will approve, whether those Senators are Republicans or Democrats, if we are to cease our labors now and make no further effort toward adjusting our differences? I do not believe so, and I do not think that the treaty which has been the subject of so much consideration and debate for a period of six months and more ought to be thus lightly cast aside.

If there has been any undue exhibition of temper on this side of the Chamber I am sorry for it. I think there has been some on both sides of the Chamber. I think a good many things have been said in the Senate that ought not to have been said. They have ruffled the feelings of some Senators. Both sides are in that respect to blame.

Mr. McCORMICK. Mr. President, will the Senator yield?

Mr. POMERENE. I yield for a question.

Mr. McCORMICK. I was going to ask the Senator in the best of good humor if it was only in the Senate of the United States that things have been said which it would have been better to have left unsaid, and by persons more distinguished than Senators of the United States?

Mr. POMERENE. Mr. President, I am willing to overlook the temper of the distinguished Senator from Illinois. I recognize the fact that there is one man in American history who

can not even be mentioned in his presence but it irritates him. I am quite willing to assume, for the sake of the argument, that he is the repository of all virtue, and that the other distinguished gentleman is the repository of all vice, if that will soothe him.

But, Mr. President, that is not the question before us. It is simply another exhibition of the fact that it is not the treaty that is being considered so much by some Senators as perhaps it is one of the draftsmen of that treaty.

Perhaps it would not be in order at this time, but I am going to present a motion to the Senate. It may be that under the holding of the Chair it is out of order just now, but I shall ask that it be considered later, and I am going to present it for the information of the Senate.

I move that the treaty, the resolution of ratification, and the reservations heretofore presented to the Senate be referred to a committee of conciliation composed of six Senators to be appointed by the President of the Senate, among whom shall be the leader of the majority, the Senator from Massachusetts [Mr. LODGE], who shall be chairman of the committee, and the leader of the minority, the Senator from Nebraska [Mr. HITCHCOCK], and that said committee be instructed to prepare and report to the Senate such a resolution of ratification and reservations as in their judgment will meet the approval of not less than two-thirds of the Senate.

Mr. LODGE. Mr. President, I think that is clearly out of order under the rule, and I make the point of order against it.

The VICE PRESIDENT. This is the rule, Rule XXII:

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone definitely.
To postpone to a day certain.
To commit—

And so forth. The Chair understands that this is a motion to commit to a special committee.

Mr. LA FOLLETTE. I move to lay the motion on the table.

The VICE PRESIDENT. That is in order. The question is on laying the motion of the Senator from Ohio [Mr. POMERENE] on the table.

Mr. LA FOLLETTE and Mr. ASHURST called for the yeas and nays.

The yeas and nays were ordered and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement as before with reference to my pair with the senior Senator from New Mexico [Mr. FALL], I withhold my vote.

Mr. CURTIS (when Mr. NELSON's name was called). I was requested to announce that the Senator from Minnesota [Mr. NELSON] is unavoidably detained from the Senate. He is paired with the senior Senator from Texas [Mr. CULBERSON].

The roll call having been concluded, the result was announced—yeas 48, nays 42—as follows:

YEAS—48.

Ball	France	Lenroot	Poindexter
Borah	Frelinghuysen	Lodge	Reed
Brandagee	Gronna	McCormick	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smoot
Coff	Johnson, Calif.	Moses	Spencer
Cummins	Jones, Wash.	New	Sterling
Curtis	Kellogg	Newberry	Sutherland
Dillingham	Kenyon	Norris	Townsend
Edge	Keyes	Page	Wadsworth
Elkins	Knox	Penrose	Warren
Fernald	La Follette	Phipps	Watson

NAYS—42.

Ashurst	Henderson	Phelan	Stanley
Bankhead	Hitchcock	Pittman	Swanson
Beckham	Johnson, S. Dak.	Pomerene	Thomas
Chamberlain	Jones, N. Mex.	Ransdell	Trammell
Dial	King	Robinson	Underwood
Fletcher	Kirby	Sheppard	Walsh, Mass.
Gay	McKellar	Simmons	Walsh, Mont.
Gore	Myers	Smith, Ariz.	Williams
Harris	Nugent	Smith, Ga.	Wolcott
Harrison	Overman	Smith, Md.	
	Owen	Smith, S. C.	

NOT VOTING—5.

Culbertson	Kendrick	McCumber	Nelson
Fall			

So Mr. POMERENE's motion was laid on the table.

Mr. HITCHCOCK. Mr. President, I move that the treaty be referred to the Committee of the Whole with instructions to report it back to the Senate with the following reservations, which I ask to have read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

That any member nation proposing to withdraw from the league on two years' notice is the sole judge as to whether its obligations referred to in article 1 of the league of nations have been performed as required in said article.

That no member nation is required to submit to the league, its council, or its assembly, for decision, report, or recommendation, any matter which it considers to be in international law a domestic question such as immigration, labor, tariff, or other matter relating to its internal or coastwise affairs.

That the national policy of the United States known as the Monroe doctrine, as announced and interpreted by the United States, is not in any way impaired or affected by the covenant of the league of nations and is not subject to any decision, report, or inquiry by the council or assembly.

That the advice mentioned in article 10 of the covenant of the league which the council may give to the member nations as to the employment of their naval and military forces is merely advice which each member nation is free to accept or reject according to the conscience and judgment of its then existing Government, and in the United States this advice can only be accepted by action of the Congress at the time in being, Congress alone under the Constitution of the United States having the power to declare war.

That in case of a dispute between members of the league if one of them have self-governing colonies, dominions, or parts which have representation in the assembly, each and all are to be considered parties to the dispute, and the same shall be the rule if one of the parties to the dispute is a self-governing colony, dominion, or part, in which case all other self-governing colonies, dominions, or parts, as well as the nation as a whole, shall be considered parties to the dispute, and each and all shall be disqualified from having their votes counted in case of any inquiry on said dispute made by the assembly.

Mr. LODGE. On that I ask the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement concerning my pair as heretofore, I withhold my vote.

Mr. CURTIS (when Mr. NELSON's name was called). I desire to announce that the Senator from Minnesota [Mr. NELSON] is paired with the Senator from Texas [Mr. CULBERSON].

The roll call having been concluded, the result was announced—yeas 41, nays 50, not voting 4, as follows:

YEAS—41.

Ashurst	Hitchcock	Pittman	Swadson
Bankhead	Johnson, S. Dak.	Pomerene	Thomas
Beckham	Jones, N. Mex.	Ransdell	Trammell
Chamberlain	King	Robinson	Underwood
Dial	Kirby	Sheppard	Walsh, Mass.
Fletcher	McKellar	Simmons	Walsh, Mont.
Gay	Myers	Smith, Ariz.	Williams
Gerry	Nugent	Smith, Ga.	Wolcott
Harris	Overman	Smith, Md.	
Harrison	Owen	Smith, S. C.	
Henderson	Phelan	Stanley	

NAYS—50.

Ball	Frelinghuysen	Lodge	Reed
Borah	Gore	McCormick	Sherman
Brandagee	Gronna	McCumber	Shields
Calder	Hale	McLean	Smoot
Capper	Harding	McNary	Spencer
Coff	Johnson, Calif.	Moses	Sterling
Cummins	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Newberry	Townsend
Dillingham	Kenyon	Norris	Wadsworth
Edge	Keyes	Page	Warren
Elkins	Knox	Penrose	Watson
Fernald	La Follette	Phipps	
France	Lenroot	Poindexter	

NOT VOTING—4.

Culbertson	Fall	Kendrick	Nelson
------------	------	----------	--------

So Mr. HITCHCOCK's motion was rejected.

Mr. HENDERSON. Mr. President, on the 15th day of November, when the cloture rule was up for consideration, the Vice President made the following statement:

The Chair believes that after one resolution of ratification containing reservations has been rejected by the Senate, if a majority of the Senators so desire they may present other resolutions of ratification, in the hope in some way, with reservations, that the treaty may be ratified. It is always within the power of the majority of the Senate to construe its rules, and thus it is within the power of the majority of the Senate to keep this treaty before the Senate. It can dispose of it by taking up other business, by recommitting it to the Committee on Foreign Relations, by referring it to a special committee, or by sending it back to the President and saying that it will not have anything to do with it; but so long as a majority of the Senators want to try to ratify in some way, as it is usually expressed, this treaty, the majority of the Senate has it within its power so to act. The adoption of the cloture rule, if adopted, will not prevent the majority from attempting to ratify the treaty in some way, although it will end the debate within the period of time provided by that rule.

Mr. President, the friends of the treaty upon this side of the Chamber had every reason to believe that the friends of the treaty on the other side of the Chamber would join with us in securing such reservations as would be acceptable to the other signatories to the treaty. Is it possible that the friends of the treaty on the other side of the Senate are now unwilling to join with us as Americans, not Republicans or Democrats, to ratify this treaty and get our country back to a normal basis and our industries restored as they should be?

Mr. LENROOT. Mr. President, I should like to answer at that point that the friends of the treaty upon this side of the aisle have voted, and are ready again to vote, for the ratification of the treaty; and if the friends of the treaty on the other side will do likewise, we shall soon have it disposed of.

Mr. HENDERSON. Yes; Mr. President, but the apparent friends of the treaty on the other side would defeat it, for they are asking us to do something we are unwilling to do—to ratify it absolutely on their own terms, with too drastic reservations. I am not willing to vote for a resolution of ratification that will in any way tend to offend the sensibilities and injure the national pride and feelings of any nation unless it is absolutely necessary so to do. In one of these reservations, Mr. President, that is what is done, and particularly with reference to some of the South American Republics.

Mr. EDGE. Mr. President, will the Senator from Nevada yield to me?

Mr. HENDERSON. I yield.

Mr. EDGE. On what basis does the Senator from Nevada assume that the resolution of ratification now before the Senate would not be accepted by the necessary number of nations? Adding to the question, under the disposition we have made of the resolution of ratification by adding reservations to it, do we in any way deny the same privilege to the nations abroad? Can not they also make reservations to the treaty, applying to local or domestic questions, as we have done?

Mr. HENDERSON. Certainly they can if they wish. What I had in mind particularly was in reference to the motion made by the Senator from Georgia [Mr. SMITH] the other day to strike from section 5 the clause relating to the Monroe doctrine, in the words "said doctrine is to be interpreted by the United States alone."

Mr. President, there is no useful purpose that can come from leaving that sentence in the reservation. The reservation is just as strong and just as effective without it. I wish to say that, so far as the United States is concerned, the Monroe doctrine is our policy, but when applied it affects other nations of the Western Hemisphere, and I do not think we should incorporate language in any reservation that might wound the national pride or feelings of any of our sister republics on the Western Hemisphere.

There are other reasons, Mr. President. Why do we do useless and unnecessary things? The President has notified us that the present reservations nullify the treaty. If we adopt it, he will likely return it. If we reject it, it is still before us, unless he calls for it, and then it will come before us again. Why not make an earnest effort to get it with protecting reservations that will answer every purpose and be acceptable to the other nations? I shall oppose any adjournment until this treaty is disposed of to the satisfaction of the American people.

Mr. SMITH of Georgia. Mr. President, I voted for the resolution now pending, and if it comes to a vote I shall vote for it again; but we do not seem to be making any progress. I believe more than two-thirds of the Senate favor ratifying the treaty; I am sure they do. I believe with modifications that would not really affect their value or their strength the present reservations might be changed that the requisite two-thirds vote for ratification could be obtained.

A few moments ago the resolution introduced by the Senator from Nebraska [Mr. HITCHCOCK] was before the Senate referring the treaty back to the Committee of the Whole and directing the Committee of the Whole to report with certain reservations. If the Committee of the Whole had reported to the Senate as directed by the resolution of the Senator from Nebraska, then the whole subject would have been open before the Senate for additional reservations. When I voted for the motion of the Senator from Nebraska it was not because I was satisfied with the reservations he had incorporated in his motion, but because I desired the subject again to be freely before the Senate.

I realize that the Senate seems to be in a deadlock, but I believe it is possible still to do something. Shall we go forward and kill the treaty by having the resolution of ratification again rejected or shall we adjourn until to-morrow, and see if it is possible to get together? I do not desire to make the motion. Unless Senators on the other side are willing to give it some such direction, it is hardly worth while to make it. I throw out that suggestion as one who has voted for the reservations, as one who will vote for them again if the question comes before the Senate simply upon them, but as one who feels that, if some modifications not losing the value of the reservations in their power to protect the United States and the people of the United States may be agreed upon, it is greatly to the interests of our country that this matter should be decided before we adjourn, and that the treaty should be ratified before we adjourn. Of course, if

we adjourn with no action, the treaty goes back to the President; he can send it to us again when we meet in December, and then there will be great delay and more trouble. I believe it to be to the interest of the country to ratify the treaty with proper reservations. That can only be done if Senators upon the other side are willing to give some such direction to it as I have suggested.

SEVERAL SENATORS. Vote!

Mr. SMITH of Georgia. I move that the Senate adjourn.

Mr. BRANDEGEE and Mr. LA FOLLETTE called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement as to my pair, I withhold my vote.

Mr. CURTIS (when Mr. NELSON's name was called). I make the same announcement as before with regard to the Senator from Minnesota [Mr. NELSON]. He is paired with the Senator from Texas [Mr. CULBERSON]. I will let this announcement stand for the day.

The result was announced—yeas 42, nays 48, as follows:

YEAS—42.

Ashurst	Henderson	Phelan	Stanley
Bankhead	Hitchcock	Pittman	Swanson
Beckham	Johnson, S. Dak.	Pomeroy	Thomas
Chamberlain	Jones, N. Mex.	Randall	Trammell
Dial	King	Robinson	Underwood
Fletcher	Kirby	Sheppard	Walsh, Mass.
Gay	McKellar	Simmons	Walsh, Mont.
Gerry	Myers	Smith, Ariz.	Williams
Gore	Nugent	Smith, Ga.	Wolcott
Harris	Overman	Smith, Md.	
Harrison	Owen	Smith, S. C.	

NAYS—48.

Ball	France	Lenroot	Poindexter
Borah	Frelinghuysen	Lodge	Reed
Brandeggee	Gronna	McCormick	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smoot
Coit	Johnson, Calif.	Moses	Spencer
Cummins	Jones, Wash.	New	Sterling
Curtis	Kellogg	Newberry	Sutherland
Dillingham	Kenyon	Norris	Townsend
Edge	Keyes	Page	Wadsworth
Elkins	Knox	Penrose	Warren
Fernald	La Follette	Phipps	Watson

NOT VOTING—5.

Culberson	Kendrick	McCumber	Nelson
Fall			

So the Senate refused to adjourn.

Mr. WALSH of Massachusetts. Mr. President, I have voted for the ratification of this treaty with the reservations adopted by the Senate. That resolution has been defeated. I have voted repeatedly for parliamentary procedure which would give my party associates upon this side of the Chamber an opportunity to present a program embodying a ratification resolution with such reservations as they desired. It seems to me the time has come when we should talk plainly about our final attitude on this important question.

I believe that the reservations which have been added in the Senate have improved the treaty and covenant, have strengthened it, and have aroused a public sentiment in this country which has helped the whole principle of a league of nations, and which it much needed. I think we have lost sight of the fact that to make this league of nations a success the American people must be enthusiastically behind the league of nations; and if I am any judge of public sentiment in America, the American people want to try out this league of nations, but they also want the reservations which have been proposed in the Senate adopted in order to have no future misunderstanding or uncertainties as to our rights and obligations in this league.

What is the objection made to these reservations? The only objection that can be made, in the last analysis, is this, that our allies will not accept this covenant with these reservations. The only thing the American people have asked out of this war is a union of the nations of the earth, organized to prevent ever again the occurrence of world wars, and to end thereby poverty, misery, suffering, murder, famine, and starvation. That is the only thing the American people have asked or are asking. They have given to the Allies every single other thing they wanted at the peace conference. Can it be said now that our allies will refuse to accept the reservations which the American Congress has added to this covenant? Is that the attitude of our allies? Is that the position which we are to assume—that our allies will not listen to reservations offered by the people of America to help strengthen this league and get behind it the whole public sentiment of America?

There is much sentiment in America against this whole proposition of a covenant for a league of nations. There are many people, and the number is increasing daily, who honestly believe that this is a compact for the maintenance of world peace

upon the theory that "might makes right." There are many people in this country who honestly believe that the necessary principles of justice and righteousness and fair dealing that should underlie this league are removed and that it is the purpose of some of our allied nations to enforce peace by the methods of the oppressor. I say that sentiment has been increasing and growing steadily in this country.

Yet I believe that we owe something to our soldiers. We promised again and again that they were fighting the last war, and that the end of wars had come with this war, and that there never again would be the bloodshed and the misery on earth that came out of this recent war. I therefore have sacrificed some of my convictions and opinions about many of the provisions of this covenant and of this treaty in the hope of accomplishing the end sought. I was willing to go a long way to hold out the chance of ending wars and establishing a permanent peace. I was willing to sacrifice here and there and to give here and there, in order that we might join with the other nations and try the experiment of a union of the nations of the world to end war.

Mr. President, I appeal to the Senators in this Chamber tonight to vote for this treaty and these reservations. How can we, how can any man in public life, defend an attack upon one of these reservations? Are they not all American? Do they not all seek, here and there, to safeguard and protect America's interests, to clarify doubts, to make certain and secure just what America is guaranteeing, and just what America is promising and assuring?

There is little difference between us. It is a difference of form and words, and not of principles. So it seems to me that we should come together, and that we should support the resolution that is pending. I, for one, feel that I have done my duty, and that I can face my constituents and my countrymen and say that I have supported the ratification of this treaty and the covenant for a league of nations with reservations which, though not absolutely satisfactory—I would have had some others added to those that have been added—yet do something to clarify and remove misunderstandings, something to bring about a league of nations for the purpose of ending wars. The resolution in this form at least gives us the chance of an opportunity of trying that experiment; and I, for one, do not want the responsibility of casting my vote in any manner or way here which may possibly deny the American people that opportunity, provided American rights are secure.

If we differed on principle, if there was one reservation here that any American could say was not in the interest of our country, we might have reason to hesitate, reason to fence over position or place.

But I refuse to anticipate that our allies, with whom we have fought, for whom we have suffered, for whom we have sacrificed, to whom we have given so much, will refuse the requests of the American Senate to safeguard and protect American interests by certain reservations. Let us vote to ratify this treaty. Let us vote for these reservations, and let us go home to our constituents and say, "With all its imperfections and all its limitations, we have adopted the treaty and decided to try this experiment." When I say difficulties, I appreciate the tremendous difficulties that our President and his associates had in Paris, and I do not think for one moment it is any criticism of him to be able to find here and there a line, a phrase, an article, that can be amended, changed, or strengthened. We are removed from the atmosphere that he was in. We are here on American soil, as American Senators, and who would deny us the right here to say, "That language is not strong enough," "That is not certain enough," "That is not definite enough"? That is what we have done, and everything about which there has been a substantial difference of principle in this treaty or covenant has been written into the reservations now before us.

Mr. President, I feel it my duty and in the interest of America to vote for the ratification of this treaty with the reservations which have been offered, and I believe if we do that we will make the league of nations more popular in America, we will get behind it a public sentiment that will give it life and vitality, which it needs; give it support, for without the public sentiment of America behind this league it is a failure from the start. Without these reservations it has the sting of death in it.

Mr. OWEN. Mr. President, I should myself prefer to vote for this covenant and treaty without the reservations and without amendment. I supported, however, the reservations which were offered by the Senator from Nebraska [Mr. HITCHCOCK] and voted for them. Still I am not willing to be left in the position of defeating the treaty by rejecting the resolution supported by those who have been demanding stronger reservations in the treaty, and if I am confronted with the necessity of either finally voting for the treaty with the Lodge

reservations or defeating the present ratification of the covenant, I shall vote to ratify.

Mr. President, when conciliation is sought on either side of this Chamber there must be shown some one willing to make concessions, and I say flatly that I am willing to make great concessions if it is necessary to secure the ratification of the treaty. But I do insist it is only fair for those who are truly the friends of the treaty to pursue the parliamentary procedure under which these matters of difference may be considered and by some mutual concessions an arrangement effected that shall command the requisite two-thirds. The friends of the treaty have been divided and conquered by the enemies of the treaty; party and personal pride and prejudice played upon with sad results.

The pending vote can not obtain the necessary two-thirds, and in voting for the Lodge reservations, which are subject to several very serious objections, I do so in a spirit of conciliation with the hope that my example and that of others may break down the barriers of excessive party and personal pride in the interest of our beloved country. We are all Americans, and in foreign affairs we should not divide as Republicans and Democrats, whose divisions are based on domestic differences alone. If I and other of my colleagues make great concessions to you, can you not make some concessions to those of us who very strongly believe in more carefully drawn reservations and who find some few of your reservations too extreme? Will my colleagues from mere pride on both sides of the Chamber refuse to cooperate or to yield in the slightest respect to the sentiments and strong opinions of each other? At a great sacrifice of strongly held opinions I yield much in the hope of promoting the ratification of the treaty.

The VICE PRESIDENT. The question is on agreeing to the resolution of ratification offered by Mr. LODGE. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. NELSON's name was called). The Senator from Minnesota [Mr. NELSON] is necessarily detained from the Senate, and is paired with the Senator from Texas [Mr. CULBERSON]. If present and not paired, the Senator from Minnesota would vote "aye."

The roll call was concluded.

Mr. CURTIS. I desire to announce that the senior Senator from New Mexico [Mr. FALL] is unavoidably detained from the Senate. Were he present he would vote "nay."

Mr. SHEPPARD. I wish to state that my colleague the senior Senator from Texas [Mr. CULBERSON] would vote "nay" if he were present. He is paired with the Senator from Minnesota [Mr. NELSON].

The roll call resulted—yeas 41, nays 51, as follows:

YEAS—41.			
Ball	Hale	Myers	Spencer
Calder	Harding	New	Sterling
Capper	Jones, Wash.	Newberry	Sutherland
Cole	Kellogg	Owen	Townsend
Cummins	Kenyon	Page	Wadsworth
Curtis	Keyes	Penrose	Walsh, Mass.
Dillingham	Lenroot	Phipps	Warren
Edge	Lodge	Pomerene	Watson
Elkins	McCumber	Shields	
Frelinghuysen	McLean	Smith, Ga.	
Gore	McNary	Smoot	
NAYS—51.			
Ashurst	Harris	McKellar	Simmons
Bankhead	Harrison	Moses	Smith, Ariz.
Beckham	Henderson	Norris	Smith, Md.
Borah	Hitchcock	Nugent	Smith, S. C.
Brandegee	Johnson, Calif.	Overman	Stanley
Chamberlain	Johnson, S. Dak.	Phelan	Swanson
Dial	Jones, N. Mex.	Pittman	Thomas
Fernald	Kendrick	Polindexter	Trammell
Fletcher	King	Ransdell	Underwood
France	Kirby	Reed	Walsh, Mont.
Gay	Knox	Robinson	Williams
Gerry	La Follette	Sheppard	Wolcott
Gronna	McCormick	Sherman	
NOT VOTING—3.			
Culbertson	Fall	Nelson	

The VICE PRESIDENT. On the resolution of ratification the yeas are 41 and the nays 51. The resolution not having received the constitutional two-thirds, it is rejected.

Mr. LODGE. Mr. President, Rule XIII of the Senate provides that—

If the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

The Senate has therefore taken final action. It is still open to the President, under the rule of the Senate, to withdraw the original treaty which he sent in and to resubmit it. So far as the treaty now submitted goes, the final vote has been taken, and I move that the Senate proceed to the consideration of legislative business.

Mr. UNDERWOOD. Mr. President, before that motion is put, I desire to make the point of order that the motion of the Senator from Massachusetts is not in order. Of course, I realize that he has taken the position that the defeat of his resolution, not of the Senate's resolution but his resolution, has ended the life of the treaty so far as the Senate is now concerned. The Chair some days ago, and to-day, ruled that the defeat of this resolution would not prevent the offering of other resolutions for consideration. I think the Chair was right. The Senate to-day determined otherwise, but the real issue before the Senate now is whether the Senator from Massachusetts is right and the final action of the Senate has been taken, or whether the Chair was right in holding that further procedure could take place.

I think that before the question passes from the Senate, the Senate should decide the question itself. I contend that the action of the Senate has not disposed of the treaty of peace, and if it has not, under the cloture rule the motion of the Senator is not in order, because there is no business in order until the treaty has been disposed of, under cloture rule. Of course, if this is a final disposition of the treaty, then the Senator's motion would be in order. I want the Senate to vote on it and decide it as a Senate, and therefore I send to the Secretary's desk and move the adoption of an unconditional ratification of the treaty of peace.

Mr. LODGE. Mr. President, I make no point of order, if we can take the vote at once.

The VICE PRESIDENT. The Secretary will read the resolution submitted by the Senator from Alabama.

The Secretary read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate do advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919.

Mr. UNDERWOOD and Mr. LODGE called for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I again announce my pair with the senior Senator from New Mexico [Mr. FALL], and because of his absence I withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire again to announce the absence of the senior Senator from New Mexico [Mr. FALL]. If present, he would vote "nay." I also desire to announce the necessary absence of the senior Senator from Minnesota [Mr. NELSON].

The result was announced—yeas 38, nays 53, as follows:

YEAS—38.

Ashurst	Henderson	Overman	Smith, Md.
Bankhead	Hitchcock	Owen	Smith, S. C.
Beckham	Johnson, S. Dak.	Phelan	Stanley
Chamberlain	Jones, N. Mex.	Pittman	Swanson
Dial	King	Pomerene	Underwood
Fletcher	Kirby	Ransdell	Walsh, Mont.
Gay	McCumber	Robinson	Williams
Gerry	McKellar	Sheppard	Wolcott
Harris	Myers	Simmons	
Harrison	Nugent	Smith, Ariz.	

NAYS—53.

Ball	Gore	McLean	Smoot
Borah	Gronna	McNary	Spencer
Brandeggee	Hale	Moses	Sterling
Calder	Harding	New	Sutherland
Capper	Johnson, Calif.	Newberry	Thomas
Colt	Jones, Wash.	Norris	Townsend
Cummins	Kellogg	Page	Trammell
Curtis	Kenyon	Penrose	Wadsworth
Dillingham	Keyes	Phipps	Walsh, Mass.
Edge	Knox	Poindexter	Warren
Elkins	La Follette	Reed	Watson
Fernald	Lenroot	Sherman	
France	Lodge	Shields	
Frelinghuysen	McCormick	Smith, Ga.	

NOT VOTING—4.

Culberson	Fall	Kendrick	Nelson
-----------	------	----------	--------

So the resolution of ratification offered by Mr. UNDERWOOD was rejected.

Mr. PITTMAN. Mr. President, under the ruling made by the Chair, as I understand it, and under the view that I take of the parliamentary situation, the treaty can only be disposed of by the Senate by a two-thirds vote; that is, by ratification or by a two-thirds vote to indefinitely postpone. The Senate rules expressly provide that it requires a two-thirds vote to indefinitely postpone. I take it there must be some meaning attached to that.

Again, I believe that it is not within the power of a majority of the Senate to terminate the action of the Senate when it is expressly required that there shall be a two-thirds vote either to ratify the treaty or to dispose of it. I think the treaty is before the Senate now; and, as the ratification resolution presented by the Senator from Massachusetts [Mr. LODGE] has not

received the necessary votes, I do not think it is within the power of the Senate to place the treaty out of this body in any such manner.

I therefore offer a resolution of ratification which I ask may be read and acted on.

Mr. LODGE. Mr. President, I make the point of order—it is clear to my mind—that the treaty is not in the Senate. I yielded to the Senator from Alabama [Mr. UNDERWOOD] and reserved the point of order then. I now make the point of order, and on that I ask for the ruling of the Chair.

The VICE PRESIDENT. The Chair thinks the Chair has ruled on every possible situation. The Chair ruled that the treaty is before the Senate and has been overruled by the Senate three times. The Chair does not think that the Senator from Nevada [Mr. PITTMAN] raises any new question at all that the Senate has not already passed upon.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. Is the pending motion the motion of the Senator from Massachusetts to go into legislative session?

The VICE PRESIDENT. The pending motion is the motion to go into legislative session.

Mr. BRANDEGEE. I ask for the yeas and nays on that.

Mr. FLETCHER. Mr. President, I rise to a point of order—

Mr. LODGE. One moment. I yielded to the Senator from Alabama [Mr. UNDERWOOD] and did not make the point of order, as I might then have made it, but I desire now to make a motion in connection with the treaty.

I move to reconsider the vote by which the Senate rejected the resolution of ratification moved by the Senator from Alabama, and pending that motion I move to lay the motion to reconsider on the table. On that motion I demand the yeas and nays.

The yeas and nays were ordered; and, having been taken, resulted—yeas 48, nays 42, as follows:

YEAS—48.

Ball	France	Lenroot	Poindexter
Borah	Frelinghuysen	Lodge	Reed
Brandeggee	Gronna	McCormick	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smoot
Colt	Johnson, Calif.	Moses	Spencer
Cummins	Jones, Wash.	New	Sterling
Curtis	Kellogg	Newberry	Sutherland
Dillingham	Kenyon	Norris	Townsend
Edge	Keyes	Page	Wadsworth
Elkins	Knox	Penrose	Warren
Fernald	La Follette	Phipps	Watson

NAYS—42.

Ashurst	Hitchcock	Phelan	Stanley
Bankhead	Johnson, S. Dak.	Pittman	Swanson
Beckham	Jones, N. Mex.	Pomerene	Thomas
Chamberlain	King	Ransdell	Trammell
Dial	Kirby	Robinson	Underwood
Fletcher	McCumber	Sheppard	Walsh, Mass.
Gay	McKellar	Simmons	Walsh, Mont.
Gerry	Myers	Smith, Ariz.	Williams
Harris	Nugent	Smith, Ga.	Wolcott
Harrison	Overman	Smith, Md.	
Henderson	Owen	Smith, S. C.	

NOT VOTING—5.

Culberson	Gore	Kendrick	Nelson
Fall			

So Mr. LODGE's motion to lay the motion to reconsider on the table was agreed to.

Mr. LODGE. I now renew my motion that the Senate proceed to the consideration of legislative business.

Mr. FLETCHER. I make the point of order that the business next in order would be to communicate to the President the various resolutions and action thereon relative to the treaty.

Mr. LODGE. That order is not necessary. It was so held by the Senate in the case of the Chamberlain-Bayard treaty, which was rejected as this has been.

Mr. FLETCHER. I observe that nearly all the precedents are to the contrary.

Mr. LODGE. It has been done many times, but it was held in the case of that treaty that it was not necessary, and it is not necessary. I am sure the President will take official notice of the action of the Senate.

Mr. FLETCHER. I should like a ruling of the Chair on the point of order as made anyway.

The VICE PRESIDENT. Well, the Chair overrules the point of order.

RETURN TO LEGISLATIVE SESSION.

Mr. LODGE. Mr. President, I renew my motion that the Senate proceed to the consideration of legislative business.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate proceed to the consideration of legislative business.

The motion was agreed to.

END OF WAR WITH GERMANY.

Mr. LODGE. Mr. President, I desire to offer a concurrent resolution, which I ask to have read and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The resolution submitted by the Senator from Massachusetts will be read.

The resolution (S. Con. Res. 17) was read and referred to the Committee on Foreign Relations, as follows:

Whereas by resolution of Congress adopted April 6, 1917, and by reason of acts committed by the then German Government, a state of war was declared to exist between that Government and the United States; and

Whereas the said acts of the German Government have long since ceased; and

Whereas by an armistice signed November 11, 1918, hostilities between Germany and the allied and associated powers were terminated; and Whereas by the terms of the treaty of Versailles Germany is to be at peace with all the nations engaged in war against her whenever three Governments, designated therein, have ratified said treaty: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the said state of war between Germany and the United States is hereby declared to be at an end.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a concurrent resolution extending the time within which the Joint Special Committee on the Pilgrim Tercentenary shall report to January 10, 1920, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a resolution giving the consent of the House of Representatives to an adjournment sine die of the Senate at any time prior to December 1 when the Senate shall so determine.

The message further announced that the House had passed the bill (S. 2961) authorizing the county of Accomac, Va., to construct certain bridges to connect Chincoteague Island and the mainland, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 425. An act to establish the Zion National Park in the State of Utah;

S. 3319. An act to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes;

S. 3332. An act authorizing the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct a bridge across the Connecticut River between Windsor Locks and East Windsor, at Warehouse Point, in said county and State; and

H. J. Res. 249. Joint resolution to continue the control of imports of dyes and coal-tar products.

RAILROAD CONTROL.

Mr. CUMMINS. I move that the Senate proceed to the consideration of Senate bill 3288, which is commonly known as the railroad-control bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3288) further to regulate commerce among the States and with foreign nations and to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended.

Mr. CUMMINS. I now ask that the bill be temporarily laid aside.

The VICE PRESIDENT. Without objection, it is so ordered.

ACTION OF FEDERAL RESERVE BOARD.

Mr. OWEN. Mr. President, the Federal Reserve Board and the officials of the Federal reserve bank have been charged unfairly with causing a panic in the stock market, and for that reason I asked for a statement of the facts. I submit to the record the letter of the Federal Reserve Board, which fully explains the matter, and to which I invite the attention of the Senate. I ask unanimous consent that the letter, which is of importance to the country, may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE BOARD,
OFFICE OF THE GOVERNOR,
Washington, November 17, 1919.

MY DEAR SENATOR: Receipt is acknowledged of your letter of the 14th instant.

The Federal reserve act is intended for the benefit of commerce and industry and not for the stimulation of the invest-

ment market or of speculative movements. The short title of the act reads, as follows:

"An act to provide for the establishment of Federal reserve banks, to furnish an elastic currency, to afford means of rediscounting commercial paper, to establish a more effective supervision of banking in the United States, and for other purposes." Section 13 of the act provides, in part, that Federal reserve banks may discount notes, drafts, and bills of exchange arising out of actual commercial transactions; that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used, for such purposes. It provides further that nothing contained in the act shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products, or other goods, wares, or merchandise from being eligible for such discount; "but such definition shall not include notes, drafts, or bills covering merely investments or issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities, except bonds and notes of the Government of the United States."

The board has repeatedly called attention to the fact that resources obtained from the Federal reserve banks should not be used for speculative purposes, and at various times when there has been unusual speculative activity it has issued public warnings as to the bad effect of such activities upon the banking situation. The first warning of this kind was issued as long ago as October, 1915, and the warning has been repeated on several occasions since that date when conditions made it necessary.

On June 10, 1919, the board made public a letter, which it had addressed to all Federal reserve agents, reading as follows:

The Federal Reserve Board is concerned over the existing tendency toward excessive speculation, and, while ordinarily this could be corrected by an advance in discount rates at the Federal reserve banks, it is not practicable to apply this check at this time because of Government financing. By far the larger part of the invested assets of Federal reserve banks consists of paper secured by Government obligations, and the board is anxious to get some information on which it can form an estimate as to the extent of member-bank borrowings on Government collateral made for purposes other than for carrying customers who have purchased Liberty bonds on account, or other than for purely commercial purposes.

This letter was sent out for the purpose of ascertaining to what extent Government obligations were being used to secure loans from the Federal reserve banks for other than commercial purposes or for carrying subscriptions.

In its monthly publication, the Federal Reserve Bulletin, the board has called attention repeatedly since that date to the dangerous speculative tendencies which have been prevalent.

In a printed statement during the summer, the board made the specific announcement that it would not sanction any policy which would require the Federal reserve banks to withhold credits demanded by commerce and industry for the processes of production and distribution in order to enable member banks to furnish cheap money for speculative purposes.

In ordinary circumstances and normal times one check would have been to advance discount rates, but owing to the fact that the Government has sold over \$21,000,000,000 of Liberty bonds and Victory notes, many of which securities have been sold to persons who were unable to pay for them in full but were obliged to pay for them in installments out of savings or accrued incomes, it was felt that an advance in the discount rate on notes secured by Government obligations should, so far as possible, be avoided.

The speculative movement continued, its demands on the banks for credit coming on top of commercial requirements, of the seasonal crop-moving demand, and of demands arising out of the unusual congestion of export commodities at ports owing to the delays in transportation. As a consequence of these conditions, the reserves of the Federal reserve banks began to decline, and those of the Federal Reserve Bank of New York in particular dropped to such an extent that the board about two weeks ago approved an increase in discount rates of that institution averaging about one-half of 1 per cent. All other Federal reserve banks shortly afterwards expressed the desire to put into effect a similar advance in their rates, which the board approved.

The Federal Reserve Bank of New York on November 2, the date on which the advance in its rates was made public, issued the following statement supplementing the repeated warnings of the board:

The reason for the advance in rates announced to-day by the Federal Reserve Bank of New York is the evidence that some part of the great volume of credit, resulting from both Government and private borrowing, which war finance required, as it is released from time to time from Government needs, is being diverted to speculative employment rather than to reduction of bank loans. As the total volume of the Government's loans is now in course of reduction corresponding reductions in bank loans and deposits should be made in order to insure an orderly return of normal credit conditions.

Notwithstanding this notice, activities on the exchanges continued and the reserves of the Federal reserve bank still declined. During the week ending November 8 the Federal Reserve Board sold to other Federal reserve banks \$90,000,000 of acceptances for account of the Federal Reserve Bank of New York, but in spite of this action the reserves of the New York bank fell to 40 per cent. In these circumstances, in order to prevent further expansion, it became necessary to call the attention of the large rediscounting banks to the situation.

The high rates for call money which have prevailed continuously for the past two weeks and intermittently for several months past were in themselves very clear indications of the strained position into which the unbridled speculation had thrown the stock market and rendered a readjustment inevitable unless the resources of the Federal reserve banks were to be indirectly drawn upon for stock-market purposes. The public has had ample notice of the board's policy.

You are so familiar with the Federal reserve act that it is hardly necessary to call your attention to that paragraph of section 4 which treats of the duties of the board of directors of a Federal reserve bank, and which provides that "said board shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks and shall, subject to the provisions of law and the orders of the Federal Reserve Board, extend to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks." This would, of course, afford means for a strict rationing of credits should such an extreme course ever become necessary. It is interesting to note that there no longer exists in the mind of the public or, in fact, a connection between call-money rates and the commercial paper market, and it must be gratifying to all those interested in sound banking methods that the events of the past week have had no effect upon the market for commercial paper.

Very truly, yours,

W. P. G. HARDING, Governor.

Hon. R. L. OWEN,
United States Senate.

PROPOSED FINAL ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn sine die.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate adjourn sine die.

Mr. ROBINSON, Mr. LODGE, and others called for the yeas and nays.

The yeas and nays were ordered, and, having been taken, resulted—yeas 5, nays 84, as follows:

YEAS—5.			
Elkins	Johnson, Calif.	Knox	McLean
France			
NAYS—84.			
Ashurst	Hale	Myers	Smith, Ariz.
Ball	Harding	New	Smith, Ga.
Bankhead	Harris	Newberry	Smith, Md.
Beckham	Harrison	Norris	Smith, S. C.
Brandegee	Henderson	Nugent	Smoot
Calder	Hitchcock	Overman	Spencer
Capper	Johnson, S. Dak.	Owen	Stanley
Chamberlain	Jones, N. Mex.	Page	Sterling
Colt	Jones, Wash.	Penrose	Sutherland
Cummins	Kellogg	Phelan	Swanson
Curtis	Kenyon	Phelps	Thomas
Dial	Keyes	Pittman	Townsend
Dillingham	King	Poinsett	Trammell
Edge	Kirby	Pomeroy	Underwood
Fernald	La Follette	Ransdell	Wadsworth
Fletcher	Lenroot	Reed	Walsh, Mass.
Frelinghuysen	Lodge	Robinson	Walsh, Mont.
Gay	McCormick	Sheppard	Warren
Gerry	McCumber	Sherman	Watson
Gore	McKellar	Shields	Williams
Gronna	McNary	Simmons	Wolcott
NOT VOTING—6.			
Borah	Fall	Moses	Nelson
Cuberson	Kendrick		

So the Senate refused to adjourn sine die.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I made the motion to adjourn sine die forgetting a promise I had made to several Senators to have an executive session in order to dispose of certain important nominations. It was for that reason that I changed my own vote and asked other Senators to do likewise.

I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened.

RAILROAD CONTROL—VETO MESSAGE.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The Chair lays before the Senate the following message from the President of the United States, which will be read.

The Secretary read the veto message of the President, as follows:

To the Senate:

I return herewith without my approval Senate bill 641, entitled "An act to amend section 10 of an act entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March 21, 1918."

This bill deprives the Government of the United States, while still charged with the exclusive responsibility for operating the railroads during Federal control, of any power to make any change in any intrastate rate, fare, charge, classification, regulation, or practice without having first secured the approval of the proper State regulating tribunal, whereas under the Federal control act as originally enacted the Government of the United States had the same power to determine these intrastate matters as it had to determine similar matters of an interstate character.

The immediate effect of such a change in the law would be to deprive the Federal Government of the ability to cope promptly, and decisively with operating emergencies which are now arising and must continue to arise during the existing period of heavy traffic. Recently the Railroad Administration found that refrigerator cars were being unduly detained by consignees at a time when there was urgent demand for an enlarged transportation use of such cars. The Railroad Administration was able substantially and promptly to correct this situation by the imposition of an emergency charge. Such step could not have been taken promptly if it had been necessary to consult also the State authorities throughout the Union. Since the authorities of each State would under this bill have the full power to exercise an independent judgment, the probable result would have been, if this bill had been in effect, to prevent any uniform practice at all, notwithstanding the fact that the Federal Government was the sole operator of the railroads and as such conducting the intrastate operations as well as the interstate operations.

At the present time the Railroad Administration is proceeding with an important measure to secure the heavier loading of cars with grain and grain products so as to meet more fully the urgent need for a greater transportation of those commodities. If it should be necessary to obtain the independent judgment of each State tribunal, the delay would probably be so great as to defeat the purpose of the plan.

The matters I have mentioned are illustrative of pressing practical emergencies which must be dealt with promptly if they are to be dealt with effectively, and while the Federal Government alone is responsible for railroad operation it ought to have within itself the power to deal with these problems. The practice of the Railroad Administration to secure the advice of the Interstate Commerce Commission upon matters of importance reasonably insures an adequate representation of the public interest and avoids the divided action and inevitable delay which would result if each State authority should have exclusive and final power as to regulation of all matters of intrastate traffic within its borders.

Beyond these pressing practical exigencies I feel that it is a far sounder general principle to vest in the Federal Government the power to raise the revenue to operate the railroads when the Federal Government alone is responsible for paying the bills for their operation.

In a country of such great extent it is undoubtedly desirable to get the fullest practicable benefit of local advice upon local matters, and this is equally as much to be desired in respect of local interstate rates and practices in a given portion of the country as in respect of intrastate rates and practices covering a similar extent in the same locality. It is the policy and practice of the Railroad Administration, which I heartily indorse, to secure, as far as practicable, the full benefit of the suggestions of the State authorities, both as to intrastate rates and as to local interstate rate, but in the last analysis, while the Federal Government is solely responsible, it seems to me that entirely independent and final power as to a large proportion of these vital matters should not be transferred to the respective States.

The broad question of general principle which I have just discussed might perhaps be waived in view of the short duration of Federal control, but the practical emergencies to which I have first referred are matters with which the Federal Government must deal day by day in the discharge of its responsibility,

and I do not think its ability to deal with them promptly and conclusively should be impaired even during a brief period of Federal control.

The leading principle of this bill, which is to give the Interstate Commerce Commission power, pending its decision thereon, to suspend rates, practices, etc., initiated by the President, is entirely acceptable to me, although if in the future the bill should be recast I should hope to see some modification in detail which would avoid attaching a presumption of unreasonableness (as this bill appears to do) to changes so initiated in rates, practices, etc. I should also hope to see another modification which would avoid any possibility of bringing in question the validity of orders which already have been made by the Railroad Administration in the discharge of its responsibilities.

WOODROW WILSON.

THE WHITE HOUSE,
18 November, 1919.

Mr. CUMMINS. I ask that the message may lie on the table and be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington presented a petition, signed by 1,818 Minute Men, of Seattle, Wash., praying for the deportation of certain aliens, which was referred to the Committee on Immigration.

He also presented petitions and telegrams in the nature of petitions from sundry citizens of Tacoma, Northbend, Chehalis, Bellingham, and Tonasket, all in the State of Washington, praying for the enactment of legislation providing punishment for persons who advocate the overthrow of the Government and stir up strife and labor strikes, and praying for the deportation of those aliens who hold such principles, which were referred to the Committee on the Judiciary.

Mr. HALE presented a memorial of the Central Labor Union, of Rumford, Me., remonstrating against the passage of the so-called Cummins bill providing for private ownership of railroads, which was ordered to lie on the table.

Mr. COLT presented a petition of sundry World War veterans and citizens of the State of Rhode Island, praying for the enactment of legislation granting an additional bonus to discharged soldiers and sailors, which was referred to the Committee on Military Affairs.

Mr. ELKINS presented a memorial of Local Division No. 190, Brotherhood of Railway Conductors, of Grafton, W. Va., remonstrating against the passage of the so-called Cummins bill providing for private ownership of railroads, which was ordered to lie on the table.

Mr. SMOOT presented a petition of Robert E. Lee Chapter No. 737, United Daughters of the Confederacy of the State of Utah, praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. STERLING, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 848) to reimburse Isaiah Stephens, postmaster at McMechen, Marshall County, W. Va., for money and postage stamps stolen, reported it without amendment and submitted a report (No. 307) thereon.

He also, from the same committee, to which was referred the bill (S. 849) to reimburse S. S. Buzzard, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen, reported it without amendment and submitted a report (No. 308) thereon.

He also, from the same committee, to which was referred the bill (S. 1739) for the relief of Joel J. Booth, submitted an adverse report (No. 309) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. CALDER, from the Committee on Commerce, to which was referred the bill (S. 3418) to amend an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911, reported it without amendment and submitted a report (No. 306) thereon.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 225, submitted by Mr. LODGE on the 10th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the resolution of the Senate No. 49, agreed to on June 6, 1919, authorizing the Committee on Foreign Relations to employ an assistant clerk, to be paid out of the contingent fund of the Senate, during the present session of Congress be, and the same hereby is, extended and continued in full force and effect during the remainder of the present Congress.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS:

A bill (S. 3450) to provide for the organization and training of a railroad army reserve force, to aid in the operation of the railroads of the United States in time of emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 3451) authorizing the United States Shipping Board to adjust the equitable claims of wooden-ship builders arising out of the prosecution of the war; to the Committee on Commerce.

By Mr. NEWBERRY:

A bill (S. 3452) granting the consent of Congress to the city of Detroit, Mich., a municipal corporation, to construct, maintain, and operate a bridge across the American channel of the Detroit River to Belle Isle; to the Committee on Commerce; and

(By request.) A bill (S. 3453) to punish violation of the eighteenth amendment to the Constitution by American citizens in certain foreign countries; to the Committee on Foreign Relations.

By Mr. WATSON:

A bill (S. 3454) granting an increase of pension to Frank Pender (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 3455) conferring jurisdiction on the Court of Claims for adjudging the rights of the Otoe and Missouri Tribes of Indians for compensation on a basis of guardian and ward, and conferring jurisdiction on the Court of Claims to adjust the claims between the Otoe and Missouri Tribes of Indians and the Omaha Indians to certain moneys received by the Omaha Indians; to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 3456) granting an increase of pension to Jess Musgrave; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 3457) to amend section 165 of the Revised Statutes of the United States, act of July 12, 1870; to the Committee on Civil Service and Retrenchment.

By Mr. FLETCHER:

A joint resolution (S. J. Res. 127) to authorize the Secretary of War to permit the temporary use and occupancy of Camp Johnston at Jacksonville, Fla., or any portion thereof by the University of the South, of Sewanee, Tenn.; to the Committee on Military Affairs.

SENATE PAGES.

Mr. CALDER submitted the following resolution (S. Res. 234), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the 21 pages for the Senate Chamber now in the employ of the Senate be retained and continued as such pages aforesaid from the day after the adjournment of the present session of the Congress to the 30th day of November, 1919, at the rate of \$3 per day each, to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. CALDER subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it favorably without amendment, and it was considered by unanimous consent and agreed to.

WAR CLAIMS AND CONTRACTS.

Mr. MYERS. Mr. President, I present a letter from Hon. C. F. Kelley, of Montana, president of the Anaconda Copper Mining Co., written in reply to some charges made against copper companies with which he is connected and against other copper companies, growing out of transactions with the Government during the war, made in a report of a subcommittee of the House of Representatives on the expenditures of the War Department. The report of that subcommittee was given publicity through the House, and I ask that Mr. Kelley's letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 15, 1919.

Senator HENRY L. MYERS,
United States Senate, Washington, D. C.

DEAR SENATOR MYERS: On November 11, 1919, Mr. GRAHAM of Illinois, from the Select Committee on Expenditures in the War Department, submitted a report, designated as Report No. 463, to which I wish to invite your attention in connection with some of the statements made therein. The report says:

"The subcommittee, among other matters, has investigated the following settlements of war claims and contracts, to wit:"

Here follows a list of contracts, together with the names of the corporations with whom they were made, concluding with "The United Metals Selling Co.'s contract for copper."

The next paragraph contains the following:

"In the last case cited, that of the United Metals Selling Co., immense profits were made by the producers of copper by virtue of a combination of the low-priced copper producers, which combination was aided and encouraged by the Government, although in violation of the law of the land."

"In some of the cases cited the committee is of the opinion that constructive if not actual fraud occurred, vitiating the settlements. The committee is of the opinion that millions of dollars are involved in these settlements which the Government might have a right to recover if a proper review of such settlements were made."

The foregoing, whether intentional or not, is an incorrect statement regarding the position of the copper producers, and particularly of the United Metals Selling Co., which is a subsidiary company of the Anaconda Copper Mining Co.

In the statement quoted two alleged facts are apparently complained of: First, that immense profits were made by copper producers; and, second, that such profits resulted from a combination of low-priced producers, which combination was, although illegal, aided and encouraged by the Government.

In view of the apparent criticism contained in the foregoing statements, and the impression which it is intended shall be created therefrom, I desire, on behalf of the Anaconda Copper Mining Co. and the United Metals Selling Co., to protest vigorously against the above statements contained in the report.

First, as to immense profits:

Following the outbreak of the European war in 1914 a period of almost complete suspension of business followed in the American copper industry, due to the immediate interruption of exports, which constituted at the time nearly 60 per cent of the entire volume of business. Such production as was made during the balance of the year was without profit, the price dropping to approximately 11 cents per pound.

Early in 1915 the war demand began to be felt, and from that time on to the time of the entry of the United States into the war, both price and production steadily increased, the average price for 1916 being 27.2 cents per pound. At the close of 1916 the price had advanced above 30 cents per pound, and contracts for delivery during the first quarter of 1917 were being made, covering the entire production, at from 31 to 33 cents per pound.

About this time the United States Government wished to purchase a large amount of copper in connection with the preparedness program which had been decided upon. The newly organized Advisory Council of Defense took up the matter of this purchase with the copper producers, with the result that with practical unanimity it was agreed to furnish the copper required at the price of 16½ cents per pound, which represented the average price of copper over a period of 10 years.

This action marked the first step of cooperative effort between the Government and the American industry that was one of the striking accomplishments of the war. The copper producers were widely commended for the action they had taken, and from thence to the conclusion of the war they cooperated 100 per cent with the Government.

Shortly after our entry into the war it became known that the Government contemplated adopting the policy of price fixing and that copper would probably be one of the first commodities considered. Moreover, it became known that, inasmuch as practically the entire output of copper was required for munition purposes, the Government intended to fix the price, not only for itself but for the allied Governments and all other consumers as well, taking charge of the entire production and making such allocation thereof as it saw fit to do. The result was that buying in quantity ceased and the price declined to the low level of twenty-six and a fraction cents per pound immediately preceding the fixing of the price, in September, 1917. The price fixed was 23½ cents per pound, accompanied by the condition that wages, which throughout the copper industry were generally based upon a sliding scale, should not be reduced. The net result to the producers was a cut from existing price of between 4 and 5 cents per pound.

Had it not been for the knowledge that the Government intended to fix the price it is unquestionably true that copper would have sold throughout 1917 and 1918 to the conclusion of hostilities at a price above that which prevailed at the end of 1916, so that in so far from being benefited by the policy of price fixing, the enormous decrease in profit which it meant to the copper producers is at one apparent.

The price remained at 23½ cents per pound, notwithstanding the enormous increase in the cost of production, which was steadily growing, until July, 1918, when the price was advanced to 26 cents per pound. This advance was not made until after the order had been made by the Railroad Administration increasing freight rates. While the general advance in this respect was about 25 per cent, the advance on all copper coming from the Rocky Mountain region, and which constitutes the great bulk of the copper production of the United States, was from 60 to 80 per cent. At the same time there occurred a further advance in wages, made necessary by the increases which were being paid largely in essential industries conducted by the Government, so that the 26 cents advance was scarcely sufficient to meet the advance in the items of freight and wages alone, leaving nothing to cover the advanced cost of all other supplies, materials, and factors of expense which enter into copper production. The price of 26 cents per pound remained, then, the fixed price to the close of the war.

Following the assumption of control over the business the Government refused to enter into contracts for large amounts of copper, while it, at the same time, was insistent upon the maximum production being maintained. The result was that at the conclusion of hostilities the copper companies were carrying, in various stages of manufacture from ore to finished copper, a surplus in excess of what would be carried under normal business conditions, of approximately 500,000,000 pounds. The production had reached a rate of approximately 225,000,000 pounds per month, against which, on the date of the armistice, the industry held orders from the United States Government for less than 50,000,000 pounds. What happened is a matter of common knowledge. A complete suspension of business followed, with practically no copper being sold until March of 1919, since which date there has been a fair domestic demand, but practically no export trade. Any temporary advantage obtained through high prices during the war has been more than offset by the staggering load under which the copper industry has been placed as the necessary result of the situation created by the war.

From the foregoing it will be discerned how utterly without foundation is the charge of immense profiteering by the copper industry.

Second, as to the charge of unlawful combination, aided and abetted by the Government:

When, as above narrated, the Government took practically the entire charge of the industry it found that through the selling agencies which existed there had been developed a highly organized method for the distribution of the production. Acting under the directions of the War Industries Board, the selling agencies, which represented all of the American producers, were combined into a committee. This committee functioned throughout the war practically as a governmental agency, inasmuch as all production was held to the order of the United States Government, which became, in fact, the sole buyer, it in turn allocating to the Allied Governments and essential industries their respective proportions of the production. There could be no possible objection, from a legal or a business standpoint, to this arrangement, while, on the other hand, there were many points of advantage in it to the Government.

Under the arrangement which was perfected, the United Metals Selling Co. became the agency through which the entire domestic consumption was distributed. The American Smelting & Refining Co.'s agency was selected to handle the export business in a similar manner. In undertaking this duty the United Metals Selling Co. acted under the direction of the War Industries Board. It had no other interest in the matter than that of cooperating between the Government and the various copper producers, and while the domestic business was done practically entirely in its name, it acted in this respect for all American producers, receiving absolutely no compensation for its services, and making no profit of any kind whatsoever out of the transaction, save as it collected from its regular customers the usual prewar selling commission which had been fixed by contracts, all of which antedated the war period, and none of which had anything to do with the duties which it performed in connection with the matters which are herein stated.

Under the foregoing circumstances I protest most vigorously against the statements made in the report to which I have referred, as casting an unwarranted and unjustified reflection, first, upon the entire copper industry, which perhaps sacrificed more of material advantage incidental to the furnishing of its total product for the purposes of our Government and its allies in the war than any other industry; and second, for having the charge of unlawful action made against what was an unselfish and patriotic service rendered at the instance of those who were endeavoring to bring about cooperative effort between American industry and the Government, which was so vitally essential and which contributed so largely to the results which were accomplished.

Very truly, yours,

C. F. KELLEY.

LEAGUE OF NATIONS.

Mr. GRONNA. Mr. President, I ask to have inserted in the RECORD an article from the Australian Worker.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Australian Worker, Sept. 25, 1919.]

HUGHES AND THE BIG BETRAYAL.

No one desires to rob Mr. Hughes of the éclat with which he is being regaled. He revels in it, and there are those in the community who must periodically get this sort of thing off their chest.

But there are others to whom these effervescent splashes make no appeal, and it is with these that Mr. Hughes will yet have to reckon.

His capers in Europe have not gone unnoticed, and whatever he may declaim to-day as being "a socialist," or even democrat, his present boasts will weigh but little in view of his continental defections.

Nor will people fail to remember the class of papers that have boosted him, the worse than Tory company he has kept, and the species of femininity which, deploring England's dearth of "great" men, frantically urged his speedy return.

Mr. Hughes will be judged by many, even by the fight he put up for grabbing the islands as a renegade to democracy.

One important point in this betrayal is called to mind by his speech before Parliament on the peace terms and league of nations.

"I have always held, he said, 'that the acceptance of the 14 points was an error, because they did not guarantee to Australia her rights.'"

This quotation immediately discloses Mr. Hughes's attitude of mind and his standing from the democratic viewpoint; whilst incidentally it raises the question: What "rights" as pertaining to the Australian people did the acceptance of Wilson's points imperil?

But there is a precedent and more important question which Mr. Hughes does not raise, viz: Were Wilson's points in themselves democratic, and as such were they right and just and fair? If not, why were they "accepted"?

But Mr. Hughes's "indicated" error proves to be a subterfuge. Those 14 points were never accepted, in the sense of being honored. How, then, could Australia be damaged?

It is true the Allies at the armistice gave an undertaking that those points should form the basis of a peace settlement. But one by one those points were jettisoned, until every one had gone by the board. Against this deliberate and wicked breach of a democratic covenant Mr. Hughes uttered no word of protest. The moral scandal involved made no appeal to his ethical sense.

The points treacherously violated included: No annexations; no punitive indemnities; no secret treaties; no economic barriers; evacuation of all Russia; freedom of the seas; integrity and independence of small nations; and the reduction of armaments to the lowest point.

Every one of these were ruthlessly sacrificed. Yet at this time of day Mr. Hughes comes along and says the "acceptance" of these points was an "error," and one jeopardizing Australian rights. Who is the prime minister seeking to fool?

The abandonment of these points, after being solemnly subscribed to by the nations constituting the peace conference, was an immorality only second to that of the war itself.

It is this one damning fact which has sent Woodrow Wilson home a despised, defeated, and defeated man. The diplomatic tricksters were too much for him. They cuffed him at every point, and for a mess of miserable pottage they sold the oppressed democracies of Europe.

Never had statesman such a chance of remaking this Old World as had Wilson. Never did man go to a conference equipped with a grander program.

Every trump card was his. Ships were at his disposal. The remaining money in the world was in his hands, as also the food supplies with which to enforce his demands. Yet he failed! And why? Because, when he discovered that the diplomatic plunderers at the conference had no intention of honoring their solemn vows regarding his points he did not summarily leave the table and walk out.

Instead he side-stepped on his first point—no annexations—and, that surrendered, the rest of the base betrayal became easy.

And it was to this betrayal of the peoples, and this trifling with the world's peace, that Mr. Hughes became not only a consenting but a clamorous party.

And yet he talks about the "acceptance" of the 14 points as an "error" imperiling Australian "rights." What jugglery! What hypocrisy! What cant!

And it is this treachery which has made the peace treaty the laughing-stock of the world, carrying within it more perilous possibilities than ever the war itself created. But Mr. Hughes goes further and threatens betrayal of even the league of nations itself, of which he was a signatory. Listen: "It is well to make it clear at the outset that Australia will not regard anything relating to the Pacific as proper for submission to the decision of the international tribunal." And this traitorous and deliberate flouting of the league was "cheered" by the House. President Wilson, speaking for the league only a few weeks ago, said: "The Pacific islands are not given to Australia. She holds them in trust for the league of nations, and every 12 months must render an account of her trusteeship, and if not satisfactory other arrangements will be made."

But Mr. Hughes defies this dictum, and no "decision" of any "international tribunal" will weigh with him. We have in Mr. Hughes's filibustering attitude a positive peril, and if permitted will render any leagues of nations impossible, so far as we are concerned.

A. RIVETT.

INTERNATIONAL LAW AND THE TREATY OF PEACE.

Mr. REED. Mr. President, I ask to have printed as a public document a comparative analysis of the covenant and treaty at Versailles of June 28, 1919, with the articles of the settlement and the applicable principles of the law of nations set out in parallel columns. The analysis is by Sterling E. Edmunds, R. L. D., lecturer on international law, St. Louis University Law School and former assistant in the Department of State. It is a very valuable article and I think will be of great service to Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

LANDING OF THE PILGRIMS.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the time within which the Joint Special Committee on the Pilgrim Tercentenary shall report is hereby further extended to January 10, 1920.

Mr. HARDING. I move that the Senate concur in the resolution of the House.

The resolution was agreed to.

CHINCOTEAGUE ISLAND (VA.) BRIDGES.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2961) authorizing the county of Accomac, Va., to construct certain bridges to connect Chincoteague Island and the mainland, which were, on page 1, line 3, to strike out "county of Accomac, in the State of Virginia," and insert: "Chincoteague Toll Road & Bridge Co. (Inc.), a corporation created by and existing under the laws of the Commonwealth of Virginia"; and to amend the title so as to read: "An act authorizing the Chincoteague Toll Road & Bridge Co. (Inc.), a corporation created by and existing under the laws of the Commonwealth of Virginia, to construct certain bridges to connect Chincoteague Island and the mainland."

Mr. SWANSON. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

METROPOLITAN POLICE—CONFERENCE REPORT.

Mr. SHERMAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 9821, "An act to amend an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"That paragraphs 2, 8, and 9 of section 1, of the act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901, as amended by the act approved June 8, 1906, entitled 'An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901,' are hereby amended to read as follows:

"PAR. 2. The commissioners of said District shall appoint to office, assign to such duty or duties as they may prescribe,

and promote all officers and members of said Metropolitan police force: *Provided*, That all officers, members, and civilian employees of the force, except the major and superintendent, the assistant superintendents, and the inspectors, shall hereafter be appointed and promoted in accordance with the provisions of an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, as amended, and the rules and regulations made in pursuance thereof, in the same manner as members of the classified civil service of the United States: *Provided further*, That hereafter the assistant superintendents and inspectors shall be selected from among the captains of the force and shall be returned to the rank of captain when the commissioners so determine: *Provided further*, That privates of class 1, if found efficient, shall serve one year on probation, privates of class 2 shall serve two years subsequent to service in class 1, and privates of class 3 shall include all those privates who have served efficiently three or more years."

"PAR. 8. That the annual basic salaries of the officers and members of the Metropolitan police of the District of Columbia shall be as follows: Major and superintendent, \$4,500; assistant superintendents, \$3,000 each; inspectors, \$2,400 each; police surgeons, \$1,600 each; captains, \$2,400 each; lieutenants, \$2,000 each; sergeants, \$1,800 each; privates of class 3, \$1,600 each; privates of class 2, \$1,560 each; privates of class 1, \$1,460 each. Members of said police force who may be mounted on horses, furnished and maintained by themselves, shall each receive an extra compensation of \$540 per annum; and members of the said force who may be mounted on motor vehicles, furnished and maintained by themselves, shall each receive an extra compensation of \$480 per annum; and members of the said force who may be mounted on bicycles shall each receive an extra compensation of \$70 per annum: *Provided*, That patrol drivers of the Metropolitan police are hereby declared to be members of the Metropolitan police of the District of Columbia, but shall not be rated above class 2 privates, and those patrol drivers who have been appointed since April 6, 1917, shall be required to pass the usual physical and other tests required for members of the regular force: *Provided further*, That every officer or member of the Metropolitan police at the time this act becomes law shall, in addition to the salary received by him for his period of service between August 1, 1919, and the time this act becomes law, receive for such period the difference between such salary and the salary payable to him under the provisions of this act, for a period of equal duration.

"PAR. 9. No member of the Metropolitan police of the District of Columbia shall be or become a member of any organization, or of an organization affiliated with another organization, which itself, or any subordinate, component, or affiliated organization of which holds, claims, or uses the strike to enforce its demands. Upon sufficient proof to the Commissioners of the District of Columbia that any member of the Metropolitan police of the District of Columbia has violated the provisions of this section, it shall be the duty of the Commissioners of the District of Columbia to immediately discharge such member from the service.

"Any member of the Metropolitan police who enters into a conspiracy, combination, or agreement with the purpose of substantially interfering with or obstructing the efficient conduct or operation of the police force in the District of Columbia by a strike or other disturbance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$300 or by imprisonment of not more than six months or by both.

"No officer or member of the said police force, under penalty of forfeiting the salary or pay which may be due him, shall withdraw or resign, except by permission of the Commissioners of the District of Columbia, unless he shall have given the major and superintendent one month's notice in writing of such intention."

"SEC. 2. That one-half of the amount necessary to provide for the increased salaries and compensation of the Metropolitan police authorized in this act is hereby appropriated out of any money in the Treasury not otherwise appropriated, and the other one-half out of the revenues of the District of Columbia, to supplement the amounts appropriated for the members and employees of the Metropolitan police mentioned in the act entitled 'An act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes,' approved July 11, 1919.

"SEC. 3. That the watchmen provided by the United States Government for service in any of the public squares and reservations in the District of Columbia shall hereafter be known as

the 'United States park police,' and their annual basic salaries shall be as follows: Lieutenant, \$1,900; first sergeant, \$1,700; sergeants, \$1,580; privates, \$1,360: *Provided*, That every watchman employed for such service at the time this act becomes law shall, in addition to the salary received by him for the period of service between August 1, 1919, and the time this act becomes law, receive for such period the difference between such salary and the salary payable to him under the provisions of this section for a period of equal duration.

"SEC. 4. That to provide for the increased salaries and compensation of the United States park police, so much as is necessary is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to supplement the amounts appropriated for park watchmen mentioned in the act entitled 'An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes,' approved March 1, 1919."

And the Senate agree to the same.

LAWRENCE Y. SHERMAN,
WILLIAM M. CALDER,
MORRIS SHEPPARD,
Managers on the part of the Senate.
CARL E. MAPES,
N. J. GOULD,
JAS. P. WOODS,
Managers on the part of the House.

The report was agreed to.

FINAL ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn sine die.

Mr. McCUMBER. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary called the roll.

Mr. SHEPPARD. I have been requested to announce that the Senator from Ohio [Mr. HARDING] is paired with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 47, nays 27, as follows:

YEAS—47.

Ball	Frelinghuysen	McCormick	Reed
Borah	Gay	Moses	Sherman
Brandeggee	Gronna	Myers	Shields
Calder	Hale	New	Smoot
Capper	Johnson, Calif.	Newberry	Spencer
Colt	Jones, Wash.	Norris	Sterling
Curtis	Kellogg	Overman	Townsend
Dillingham	Keyes	Page	Wadsworth
Edge	Kirby	Phelan	Walsh, Mont.
Elkins	La Follette	Phipps	Warren
Fernald	Lenroot	Polndexter	Watson
France	Lodge	Ransdell	

NAYS—27.

Ashurst	Henderson	Nugent	Smith, Md.
Bankhead	Johnson, S. Dak.	Owen	Swanson
Cummins	Jones, N. Mex.	Pittman	Thomas
Dial	Kenyon	Pomerene	Trammell
Fletcher	King	Robinson	Walsh, Mass.
Gerry	McCumber	Sheppard	Wolcott
Harris	McKellar	Smith, Ariz.	

NOT VOTING—21.

Beckham	Harrison	Nelson	Sutherland
Chamberlain	Hitchcock	Penrose	Underwood
Culberson	Kendrick	Simmons	Williams
Fall	Knox	Smith, Ga.	
Gore	McLean	Smith, S. C.	
Harding	McNary	Stanley	

So the motion was agreed to; and (at 11 o'clock and 10 minutes p. m.) the Senate adjourned sine die.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 19, 1919.

ASSISTANT ATTORNEY GENERAL.

Thomas J. Spellacy to be Assistant Attorney General.

CIRCUIT JUDGE, HAWAII.

William C. Achi, jr., to be circuit judge, fifth circuit, Territory of Hawaii.

UNITED STATES ATTORNEYS.

Lester E. Humphreys to be United States attorney, district of Oregon.

June P. Wooten to be United States attorney, eastern district of Arkansas.

UNITED STATES MARSHALS.

Andrew Jackson Walls to be United States marshal, eastern district of Arkansas.

John H. Parker to be United States marshal, western district of Arkansas.

ASSISTANT SECRETARY OF THE TREASURY.

Norman H. Davis to be Assistant Secretary of the Treasury.

REGISTER OF THE TREASURY.

William S. Elliott to be Register of the Treasury.

COLLECTOR OF CUSTOMS.

Otto A. Labudde to be collector of customs for customs collection district No. 37, with headquarters at Milwaukee, Wis.

COLLECTOR OF INTERNAL REVENUE.

Rufus W. Fontenot to be collector of internal revenue for the district of Louisiana.

CONSUL OF CLASS FIVE.

Edward J. Norton, to be a consul of class five.

MISSISSIPPI RIVER COMMISSION.

Col. Mason M. Patrick, as member of the Mississippi River Commission.

APPOINTMENTS AND PROMOTIONS IN THE COAST GUARD.

John E. Dorry, to be a captain of engineers.

Charles W. Dean, to be a third lieutenant of engineers.

Walfred G. Bloom, to be a third lieutenant of engineers.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be lieutenant-commanders for temporary service.

Arthur S. Walton,

Henry A. Seiller,

Arthur W. Dunn, jr., and

Ligon B. Ard.

To be lieutenants (junior grade) for temporary service.

Richard N. Wilder,

Edward J. Spuhler,

Edmond G. J. Dale, and

Isidor Steger.

To be ensigns for temporary service.

Emmett C. Thurman,

Frank A. Davis,

Walter J. Daly,

James D. Meyers,

Joseph H. Gowan,

Mark A. Savelle,

Chase E. Sebold,

Mark R. Cook,

Ory H. Young,

Obed E. Williams,

John H. Hykes,

Walter C. Fitzpatrick,

Paul Riechel,

Herbert George,

Samuel Butrick,

Axel E. Tangren,

Claude Tucker,

James H. Earle,

George F. Kahle,

Lester E. Shealy,

Martin G. Catron,

Leonard Frisco,

Turner A. Glascock, and

Glen Holmes.

Lieut. Thomas O. Cole, United States Naval Reserve Force, to be an assistant surgeon, with the rank of lieutenant (junior grade), for temporary service.

To be assistant paymasters with the rank of ensign.

Russell H. Sullivan, for temporary service,

William E. Tripp,

Lawrence J. Webb,

Meyer Mordell, and

Henry H. Karp.

To be chief boatswains for temporary service.

Harry J. Devoto,

Gustave B. Martinson,

Isaac L. Williams,

Thomas F. Langseth,

James Salsman,

Benjamin B. Johnson, and

Alfred W. Marchant.

To be chief gunners for temporary service.

Bernhardt E. Blossel,

James G. Bennett,

Paul J. Evans,

Harry T. Dodd,

Carl W. Reimann,
Edgar W. Mallory,
Alvin W. McCoy,
Francis J. Byrne,
Elmer R. Caldwell,
Roger J. Swint,
Frederick C. Nantz,
Arthur F. Murphy,
Henry J. Schafer,
Biven M. Prewett,
Harry C. Woodward, and
Arthur F. Wallis.

To be chief machinists, for temporary service.

John A. Peckham,
Rasmus Christensen,
Louis J. Miller,
Alfred Hayes, and
Charles H. Cope.

To be chief carpenters, for temporary service.

Helmar Schmidt,
Jack P. Barnes,
Garrett P. Fitzmaurice,
John A. Nicol,
Jeremiah A. Kennedy, and
John P. Myers.

To be chief pharmacists for temporary service.

Charles C. Thome,
Leo. Martinelli,
John A. McCormack,
Charles F. Whitmore,
Daniel J. O'Brien,
Ernest E. Brooks,
Virgule M. Coulter, and
Harry H. Williamson.

To be chief pay clerks for temporary service.

Samuel Rosenberg,
Otho C. Kennedy,
William G. Nicol, and
Elmer S. Gilbert.
First Sergt. Edgar Hayes to be a first lieutenant in the Marine Corps.
Second Lieut. William C. Byrd to be a first lieutenant in the Marine Corps.
First Lieut. William C. Byrd to be a captain in the Marine Corps.

POSTMASTERS.

GEORGIA.

Louise C. Riddle, Davisboro.

KENTUCKY.

Frances L. Coldwell, Benham.
Tracy L. Riley, Fleming.
John B. Lasley, Lewisburg.

MISSISSIPPI.

James W. Ashcraft, Charleston.

MISSOURI.

William A. Black, Mansfield.
George C. Orchard, Poplar Bluff.

NEBRASKA.

Otto A. Steinkraus, Dodge.

NEW YORK.

Charles Miller, Baldwin.
Fancher M. Hopkins, Binghamton.
Thomas J. Courtney, Garden City.
John A. Neafsey, Glen Cove.
Thomas H. O'Keefe, Oyster Bay.
William F. Britt, Sea Cliff.
Allen S. Brower, Woodmere.

OKLAHOMA.

Earl H. Barrett, Picher.

REJECTION.

Executive nomination rejected by the Senate November 19, 1919.

UNITED STATES MARSHAL.

George B. Witt to be United States marshal, middle district of Tennessee.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, November 19, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who hast ever been our dwelling place and upon whom our fathers relied through all the exigencies of life for strength and guidance and were not disappointed, turn not Thou away from us, for without Thee we are nothing. With Thee we are all things, for if Thou art with us who can be against us. Strengthen therefore our arm of faith that we may cling to Thee and be guided day by day unto the larger, grander, nobler life; and hasten the day, we beseech Thee, when the hearts of all men shall be inspired with pure and undefiled religion; that Thy kingdom may indeed come and Thy will be done, in the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following resolution: Senate resolution 231.

Resolved, That the consent of the Senate is hereby given to an adjournment sine die of the House of Representatives at any time prior to December 1, when the House shall so determine.

The message also announced that the Senate had passed without amendment H. J. Res. 249, to continue the control of imports of dyes and coal-tar products.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 249. Joint resolution to continue the control of imports of dyes and coal-tar products.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3319. An act to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes; and

S. 3332. An act authorizing the board of county commissioners of the county of Hartford, in the State of Connecticut, to construct a bridge across the Connecticut River between Windsor Locks and East Windsor, at Warehouse Point, in said county and State.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 249. Joint resolution to continue the control of imports of dyes and coal-tar products.

PROPOSED FINAL ADJOURNMENT OF THE SENATE.

Mr. MONDELL. Mr. Speaker, I offer a privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the consent of the House of Representatives is hereby given to an adjournment sine die of the Senate at any time prior to December 1, when the Senate shall so determine.

Mr. MONDELL. Mr. Speaker, Jeremiahs have their place in the divine scheme of things. It required a Jeremiah to round out Holy Writ, and the gentleman from Arkansas [Mr. WINGO] frequently appears as the Jeremiah of the House, as he has to-day. I shall place a statement in to-day's RECORD which sets out briefly the very numerous splendid accomplishments of this session of Congress, and which proves conclusively that not only have we saved the Nation a very great deal in the matter of expenditures but that we have concluded, so far as the House is concerned, the entire constructive program that we outlined at the beginning of the session. So much for that.

So far as the House is concerned, all has been accomplished that can be accomplished, in view of the situation in the other body of Congress, and as the Senate has given its consent to the adjournment of the House, I think there will be no objection to the House giving its consent to the Senate. I ask for a vote.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Arkansas.

Mr. WINGO. Only for the purpose of suggesting that I not only recognize that the gentleman from Texas [Mr. BLANTON] is an expert on demagoguery, but I also recognize my friend